

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62549 of 2024

Arising Out of PS. Case No.-315 Year-2023 Thana- RAJPUR District- Buxar

Madan Sonar @ Manish Verma S/o- Late Saryu Sonar Village- Badka Diya
PS-Krishna Brahm, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 05-10-2024 Heard Learned Counsel for the petitioner and Learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No.148 of 2024 arising out of Rajpur P.S. Case No. 315 of 2023 dated 29.08.2023, lodged under Section 392 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against three unknown persons against whom there is an allegation that they have looted Rs.65,000/- from the informant on gun point.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner is not named in the FIR. Counsel submits that nothing incriminating has been recovered from the petitioner's possession nor he was put on TIP. Counsel further submits that the only material come against the petitioner is that the co-accused person has disclosed the name of the petitioner



in commission of crime. Counsel submits that police has repeatedly inserted the name of the petitioner in different criminal cases, as the criminal antecedent of the petitioner is not clean and there are 20 criminal cases pending against him. The petitioner is in custody since 06.02.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean as there are 20 criminal cases pending against him and this aspect must be taken into consideration while considering the bail application of the petitioner.

6. In the present facts and circumstances of this case, let the petitioner above named be granted bail, but only after framing of charge, if not framed as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below, and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge-III, Buxar in connection with Sessions Trial No.148 of 2024 arising out of Rajpur P.S. Case No. 315 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. Pending cases against the petitioner are as follows:-

- Buxar (Town) P.S. Case No.119 of 2015
- Buxar (Muffassil) P.S. Case No.105 of 2007
- Buxar (Town) P.S. Case No.76 of 2015
- Buxar (Town) P.S. Case No.159 of 2010
- Buxar (Industrial) P.S. Case No.41 of 2010



- Buxar (Town) P.S. Case No.201 of 2016
- Buxar (Town) P.S. Case No.603 of 2019
- Buxar (Town) P.S. Case No.238 of 2021
- Buxar P.S. Case No.47 of 2008
- Brahmpur P.S. Case No.405 of 2021
- Brahmpur P.S. Case No.66 of 2008
- Brahmpur P.S. Case No.138 of 2011
- Brahmpur P.S. Case No.171 of 2012
- Itarhi P.S. Case No.87 of 2010
- Dumraon P.S. Case No.175 of 2012
- Dumraon P.S. Case No.289 of 2016
- Navanagar (Sonversa) P.S. Case No.315 of 2023
- Dinara P.S. Case No.393 of 2023
- Simri P.S. Case No.330 of 2023
- Rajpur P.S. Case No.113 of 2012

(Dr. Anshuman, J)

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