

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56674 of 2024

Arising Out of PS. Case No.-1191 Year-2023 Thana- SONEPUR District- Saran

Abhishek Kumar @ Chhotu Son Of Mahesh Kumar Singh Village- Gurmia,
Ps- Hajipur Sadar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 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
Sonepur P.S. Case No. 1191 of 2023, lodged on 17.12.2023,
under Sections 323, 341, 379, 342, 364A, 120B/34., of the I.P.C.

3. As per the prosecution, F.I.R. has been lodged
against two named accused persons and one unknown accused
person against whom there is allegation that they have
purchased stolen articles.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the petitioner is not named in the FIR. The name of
the petitioner has figured in this case by virtue of confessional
statement of two accused persons, one is Manish kumar and



another is Ravi Kumar. Counsel submits that both the co-accused persons, namely, Manish Kumar and Ravi Kumar have been granted bail by this Court with condition that they shall be released only after framing of charge. Counsel further submits that the charge has already been framed in this case.

5. Learned Counsel for the State opposes the prayer for bail and submits that the recovery of laptop was made from the possession of the petitioner as it transpires from the rejection order.

6. In response thereof, Counsel for the petitioner submits that in Paragraph No. 93, it has come that the said laptop was purchased by the co-accused, Chandan Kumar and the same was accepted by the co-accused, Manish Kumar in Paragraph No. 84. The petitioner is in custody since 25.02.2024.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No. 1191 of 2023, subject to the following conditions as laid down under Section 437(3) of



Cr.P.C. with other 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;

(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.

(Dr. Anshuman, J.)

Aman Kumar/-

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