

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62491 of 2024

Arising Out of PS. Case No.-133 Year-2022 Thana- BHAWANIPUR District- Purnia

SONU KUMAR YADAV @ SONU KUMAR SON OF LATE GODE
YADAV RESIDENT OF VILLAGE- TINTANGA KARARI,P.S.-
GOPALPUR, BHGALAPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bhawanipur P.S. Case No.133 of 2022 lodged under Sections
394, 411 of the I.P.C. read with Sections 25(1-b)a, 26, 35 of the
Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons including the
petitioner in which one co-accused was caught red handed by
the villagers and then he had disclosed the name of two more
persons including the petitioner. The allegation against the
accused persons is that they have snatched Rs.400/- from the
informant's pocket and also took away his motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that one accused Govind Kumar who has disclosed the name of



the petitioner, granted bail by this Court dated 08.05.2024 in Cr. Misc. No.19655 of 2024.

5. Counsel further submits that the petitioner is in custody since 20.05.2023 having 4 criminal cases pending against him. He further submits that the petitioner is in custody more than other co-accused persons.

6. Learned counsel for the State opposes the prayer for bail and submits that the petitioner's antecedent is not clean.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **3 (three) months 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 which are pending against him whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Bhawanipur P.S. Case No.133 of 2022, 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; 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.

8. The details of the cases which are pending against the petitioner, are as follows:-

- i. Gopalpur P.S. Case No. 209 of 2016.
- ii. Gopalpur P.S. Case No. 200 of 2017.
- iii. Gopalpur P.S. Case No.308 of 2017.
- iv. Gopalpur P.S. Case no. 310 of 2017.

(Dr. Anshuman, J.)

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