

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66204 of 2023

Arising Out of PS. Case No.-388 Year-2020 Thana- NATHNAGAR District- Bhagalpur

Sonu Kumar S/O Tiro Yadav R/O Village- Naya Tola Mirzapur, P.S-
Nathnagar (Madhusudanpur), Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Nathnagar (Madhusudanpur) P.S. Case No. 388 of 2020, registered on 03.07.2020 for the offences under Sections 379/411 of the Indian Penal Code.

3. As per prosecution case, the motorcycle of the informant was stolen by unknown thief and name of the petitioner transpired during investigation as one of the accused persons involved in the case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel further submits that the petitioner was



named in this case by co-accused persons in their confessional statement but nothing incriminating has been recovered from the person or possession of this petitioner. Even the recovery of stolen motorcycle was made from a Yatri shed on bypass. Except confessional statement no cogent material is available against the petitioner. Though the petitioner has criminal antecedent of two cases but he is on bail in both the cases.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of material against the petitioner and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bhagalpur/concerned court in connection with Nathnagar (Madhusudanpur) P.S. Case No. 388 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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