

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69595 of 2024

Arising Out of PS. Case No.-445 Year-2022 Thana- SHASTRINAGAR District- Patna

Sonu Kumar @ Sonu Shooter @ Sonu Star @ Sonu Yadav, S/o Late Upendra Yadav @ Upendra Kumar Yadav, R/o Village- Mahavir Path, West Patel Nagar, P.S.- Shastri Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Shastri Nagar P.S. Case No. 445 of 2022, registered for the alleged offences under Sections 386, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner, threatening the informant with pistol, demanded Rs. 50,000/- and threatened him with life if the demand was not met. The informant gave him Rs.4,000/- and a gold chain weighing 15 grams was snatched from him. The petitioner and the co-accused persons also assaulted the friend of the informant and threatened them with life if they complained to the police.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of this petitioner. There is inordinate delay in lodging the FIR as for an occurrence of 13.07.2022, the FIR has been registered on 27.07.2022 and there is no explanation. The learned counsel further submits that the petitioner is having criminal antecedent of three cases, i.e., (i) Shastri Nagar P.S. Case No.44 of 2021, (ii) Shastri Nagar P.S. Case No. 1028 of 2023 and (iii) Shastri Nagar P.S. Case No.1126 of 2023, and he is on bail in all these cases. The learned counsel further submits that the petitioner is in custody since 03.01.2024 and the charge sheet has been submitted.

5. The learned A.P.P. opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner appears to be habitual offender.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate-IV, Patna, in connection with Shastri Nagar P.S. Case No. 445 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

However, before accepting the bail bonds of the petitioner, the learned trial court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in any other case except the aforesaid three cases, his bail bonds would not be accepted.

(Arun Kumar Jha, J)

V.K.Pandey/-

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