

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71059 of 2024**

Arising Out of PS. Case No.-232 Year-2024 Thana- BAHERI District- Darbhanga

Sonu Kumar S/o Umesh Sah R/o Village- (Koiringawan) Baheri, P.S.- Baheri,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Uday, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

3 05-02-2025 Heard Mr. Kumar Uday Bhanu Roy, learned counsel
for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Baheri P.S. Case No. 232 of 2024 for the offences punishable under Sections 310(4), 310(5) of the BNS and section 25(1-B), 26 and 35 of the Arms Act, lodged on 08.07.2024 by the informant, Barun Kumar Goswami.

3. As per the prosecution story, two motorcycles were intercepted. On one motorcycle, there were Raushan Kumar, Sonu Kumar and Chandan Kumar whereas on other motorcycle, the riders were Santish Kumar, Sonu Kumar(petitioner) son of Umesh Sah and Ranjeet Kumar. From Sonu Kumar son of Anil Paswan, there is recovery of a mobile, a live cartridge has been recovered from Chandan Kumar whereas from this petitioner,



there is no recovery/seizure except the mobile. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that from him, there has not been any recovery save and except mobile and the motorcycle which belongs to him. He has got no criminal antecedent and further Raushan Kumar has been extended bail in Cr. Misc. No. 71079 of 2024.

5. Learned APP opposed the prayer submitting that he was also the part of gang which were intercepted and recovery/seizure was made.

6. Having gone through the facts of the case as also that he has got no criminal antecedent and nothing incriminating has been recovered, he is in custody since 09.07.2024 (para-13), in that background, this Court is inclined to grant him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Darbhanga, in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family



member/relative 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, 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 his bail bonds.

(Rajiv Roy, J)

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