

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1106 of 2025

Arising Out of PS. Case No.-272 Year-2024 Thana- BELDOUR District- Khagaria

Sonu Kumar S/o Manoj Mandal Resident of Village- Mahinath Nagar, PS-
Beldaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Beldaur P.S. Case No. 272 of 2024, registered for the offences under Section 309(4) of Bhartiya Nyaya Sanhita.

3. As per prosecution case, three miscreants on two motorcycles, assaulted the informant and drawing out a pistol, they snatched his motorcycle, mobile phone, helmet, blue tooth and Rs. 2,000/- The informant further alleged that the petitioner along with two other co-accused persons might be involved in the occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case merely on suspicion. Nothing incriminating has been recovered from the person or possession of this petitioner. The petitioner has no concern either with the alleged occurrence or the co-accused persons. No Test Identification



Parade was conducted. It is evident from the FIR that the name of the petitioner transpired in this case merely on suspicion on saying of the villagers that petitioner was found loitering near the place of occurrence. The allegedly recovered mobile phone and Rs. 5400/- belonged to the petitioner and it is not the looted property. The confessional statement before the police has got no legal sanctity. Petitioner is having his house at the same place where the occurrence took place and the allegation of loitering is of no value in the background of this fact. Petitioner was even found present in his house from where he has been apprehended and this fact also points towards the innocence of the petitioner. Petitioner is in custody since 29.07.2024 and charge-sheet has been submitted. Petitioner is having criminal antecedent of three cases and he is on bail in all these cases.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is having antecedent of three cases and appears to be a habitual offender.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of tangible material to connect the petitioner with the offence as alleged and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is



directed to 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 Judicial Magistrate-1st Class, Khagaria/concerned court in connection with Beldaur P.S. Case No. 272 of 2024, subject to the conditions mentioned in Section 437(3) 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.
- (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.

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(Arun Kumar Jha, J)

