

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.880 of 2025

Arising Out of PS. Case No.-413 Year-2022 Thana- MINAPUR District- Muzaffarpur

Sonelal Prasad Son of Bujhawan Prasad Resident of Village - Kharhar, Police Station - Minapur, District - Muzaffarpur, Mobile No. 7906594047 and Adhar No. - 952371787688

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-03-2025 Heard the parties.

2. The petitioner is in custody in connection with Minapur P.S. Case No. 413 of 2022 for the offence under Sections 147, 148, 149, 341, 323, 506, 302, 120(B) of the I.P.C. and 27 of the Arms Act lodged on 17.08.2022 by the informant, Birendra Prasad.

3. As per the prosecution story, the informant alleged that on 16.08.2022, while his son namely Prakash Chandra and his cousins were returning from 'Rampur Hat' after selling vegetables, 18 named and 4-5 unknown persons surrounded them. On the order of Nanpat Prasad, Bujhawan Prasad, Punit Prasad, Krishndeo Prasad to shoot them, Pappu Prasad @ Panchu Kumar, Sonelal Prasad (petitioner herein) Sujeet Kumar



and Subodh Kumar fired from pistol, which however did not hit. However, the gunshot of Pappu Prasad @ Panchu and Sonelal hit the chest and back of his son Prakesh Chandra. As the companion of his son raised alarm, thereafter the accused persons fled away. He further alleged that he received information from mobile phone, went with the villagers and saw the escaping persons and identified them.

4. Though learned counsel for the petitioner submits that Pappu Prasad who has also been made an accused with the same charge, has been granted bail by a Coordinate Bench in Cr. Misc. No. 4587 of 2023, learned APP opposes the prayer submitting that beside the allegation of direct hitting on the chest of the victim is attributed to the petitioner, Pappu Prasad went into judicial custody on 25.09.2022 (immediately after the date of occurrence). The petitioner despite being named accused evaded his arrest for two long years and has come into judicial custody only on 10.10.2024 thus stalling the progress of trial.

5. Taking into account the aforesaid facts, the submission of the learned APP seems quite justified and it has to be taken note of. Despite being a named accused in the FIR, the petitioner chose his own time to come to the judicial custody coupled with the fact that he has criminal antecedent.



6. In that background, for the present, this Court is not inclined to grant him the relief.

7. The present bail application stands dismissed.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

