

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3940 of 2025

Arising Out of PS. Case No.-366 Year-2024 Thana- SONBERSA District- Sitamarhi

Sonu Kumar @ Awinash Suman @ Avinash Suman S/O Lal Prasad Mandal
R/O Vill.- Kanhauli Ward no. 05, P.S.- Kanhauli, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-02-2025 Heard Mr.Uday Kumar, learned counsel for the
petitioners and Mr.Ram Sevak Choudhary, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sonbarsa P.S. Case No.366 of 2024, dated 19.11.2024 registered for the offences punishable under Sections 191(2),190,132,303(2),352,351(3),3(5) of BNS, 2023.

3. Allegation against the petitioner is that he alongwith 20-25 other persons abused and assaulted the informant and other officials while they were discharging their official duty and snatched their mobiles.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not



committed any offence as alleged in the FIR. Petitioner being a Mukhiya of the locality has come to the office of the informant some some official work but the petitioner has falsely been implicated in the present case because the office of the informant has conducted some illegal work and petitioner and other persons have come in the office of the informant and stopped the illegal work on that ground present false case has been instituted against the petitioner and other co-accused persons.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is allegation against the petitioner that he disturbed the official duty of the informant, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate 1st Class, Sitamarhi in connection with Sonbarsa P.S. Case No.366 of 2024, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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