

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9021 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Sonu Kumar @ Sonu Singh Son of Binay Kumar Singh @ Binay Kumar
Resident of village -Naokothi Ward No 08 PS -Naokothi, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Gautam, Advocate
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 04-08-2025 Heard Mr.Vinod Gautam, learned counsel for the

petitioner and Mr.Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nawkothi P.S. Case No. 166 of 2024, FIR dated 14.09.2024 registered for the offences punishable under Sections 61(2), 317(4), 317(5), 336(3) and 340(2) of the Bharitya Nagrik Sanhita (BNS).

3. The police in course of investigation came to know that the petitioner is indulged in commission of theft of e-rickshaw. On such information, the police conducted raid and recovered one e-rickshaw, which is said to be a stolen property and subject matter of Bakhtiyarpur (Patna) P.S. Case No. 42 of



2024.

4. Learned counsel for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from possession of co-accused persons, namely, Golu Kumar and Sanjay Thakur. Learned counsel for the petitioner submits that for the same set of allegation, Lakhisarai P.S. Case No.516 of 2022 was instituted in which the petitioner was also an accused but the petitioner has been acquitted by judgment dated 02.01.2025.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits that the petitioner has been acquitted by the learned Trial Court itself.

6. Considering the aforesaid facts, for the same set of allegation, the petitioner has been acquitted by the learned Trial Court itself and the recovery has been made from possession of other co-accused persons, 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 Chief Judicial Magistrate, Begusarai in connection with Nawkothi P.S. Case No. 166 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the 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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