

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26630 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- MANSURCHAK District- Begusarai

Sonu Kumar, Son of Hareram Sharma, Resident of Village - Sakhmohan, P.S.
- Bibhutipur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-05-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The application for grant of bail to the petitioner who is in custody in connection with Mansur Chak P.S. Case No. 41 of 2024/ G.R. No. 1509 of 2024 registered for the offence punishable under Sections 394 and 397 of the Indian Penal Code, 1860 as well as under Sections 25(1-B)(a), 26, 27 and 35 of the Arms Act, 1959.

3. This is the second attempt made on behalf of the petitioner as earlier the prayer for bail of the petitioner came to be rejected by this Court vide order dated 10.01.2025 in Criminal Miscellaneous No. 62327 of 2024.

4. Learned Advocate appearing on behalf of the



petitioner contended that since the prayer for bail of the petitioner has already been negated on merit and, as such, in all fairness, no submission is being made on merit. However, this fact cannot be ignored that the petitioner has been incarcerated since 18.04.2024 and while negating the prayer for bail of the petitioner, liberty was accorded to him to renew his prayer for bail after framing of the charge. Referring to Annexure 3 to the bail application, it is thus contended that now the charges have already been framed against the petitioner and he undertake before this Court that he will fully cooperate in the proceeding of the Court. It is lastly contended that the petitioner is a boy of tender age and having fair antecedent, this fact also cannot be ignored.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that the petitioner has actively participated in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the observation made by this Court as also the fact that the charges have already been framed and the petitioner has been incarcerated for over a period of one year, let the petitioner, named above, be released on bail



on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, VI, Begusarai/In Charge Successor Court in S.T. No. 927 of 2024 in connection with Mansurchak P.S. Case No. 41 of 2024/G.R. No. 1509 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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