

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15088 of 2025

Arising Out of PS. Case No.-112 Year-2021 Thana- BELDOUR District- Khagaria

Sonu Mandal @ Sonu Kumar S/O Manoj Mandal R/O Sakrohar, P.S.-
Beldaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Kumar, Adv

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 02-07-2025 1. Heard learned counsel for the petitioner and the learned
APP for the State.

2. Petitioner seeks regular bail in connection with Beldaur
P.S. Case No. 112 of 2021, dated 07.06.2021 registered for the
offence(s) punishable under Section(s) 302/34 of the Indian Penal
Code and Section 27 of Arms Act.

3. The prosecution story in short is that petitioner along
with the other accused persons had fired indiscriminately upon the
informant's father due to which he sustained injury and while
treatment he died.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned counsel
appearing for the petitioner submits that there is no specific
allegation against this petitioner and the allegation levelled against



the petitioner is general and omnibus in nature. He further submits that there is no independent witnesses to the offence. He further submits that during the course of investigation, no cogent material has been recovered from the possession of the petitioner. It is further submitted that the petitioner has been languishing in jail since 30.08.2024 having three criminal antecedent. Learned counsel for the petitioner submits that one of the co-accused has been granted bail vide Cr. Misc. No. 42209 of 2024 dated 13.09.2024

5. On the other hand, learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioner and submits that the petitioner has three criminal antecedent.

6. Heard both the sides and perused the FIR and impugned order dated 29.01.2025, it appears that the petitioner is named in the FIR and the instant matter relates to murder and there is no specific allegation against the present petitioner. Allegation against the petitioner is of general and omnibus in nature and considering the fact that one of the co-accused has been granted bail vide Cr. Misc. No. 42209 of 2024, let the petitioner named-above 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 the concerned Court in connection with Beldaur P.S. No. 112 of 2021 with following conditions:-

(1)The learned Magistrates, where the petitioner's case is pending for commitment, is directed to



immediately commit the petitioner's case after separating his case from other co-accused persons who are absconding and thereafter the trial court shall take steps to frame the charges upon the petitioner and thereafter the bail bonds of the petitioner shall be accepted.

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

(3) 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.

(4) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(5) The trial court will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent other than Belaur P.S. Case No. 178 of 2021 which is mentioned in the petition of the petitioner, is found then the Court below shall take strict action against him for cancellation of his bail bond.

(Ramesh Chand Malviya, J)

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