

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20800 of 2025

Arising Out of PS. Case No.-106 Year-2023 Thana- BELDOUR District- Khagaria

Sonu Mandal @ Sonu Kumar Son of Manoj Mandal Resident of village - Sakrohar, P.S.- Beldour, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar Mishra, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Beldour P.S. Case No. 106 of 2023, instituted for the offences punishable under Sections 341, 323, 325, 307, 379, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons armed with weapons arrived at the agriculture field of the informant and assaulted the informant and his son. It is further alleged that when brothers of informant arrived to rescue, they were also assaulted by them by means of butt of the rifle and one of the accused opened fire which hit the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is further submitted that the petitioner was neither present at the place of occurrence nor he has got any concern with the alleged occurrence. The allegation levelled against the petitioner is general and omnibus in nature. No specific overt act is alleged against the petitioner. The petitioner has been remanded in this case on 13.02.2024 and has got three criminal antecedents in which he is on bail in one case. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 26.07.2024 passed in Cr. Misc. No. 39557 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances



of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Beldour P.S. Case No. 106 of 2023.

(Rudra Prakash Mishra, J)

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