

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28902 of 2025

Arising Out of PS. Case No.-101 Year-2023 Thana- SOHSARAI District- Nalanda

1. Sujit Sao @ Sujit Kumar
2. Sonu Sao @ Sonu Kumar
Both are S/o Banwari Sao R/o vill - Khasganj, Gobartoli, P.s.- Sohsarai,
Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2025 Heard Mr.Kumar Kamal Nayan, learned counsel for

the petitioners and Mr.Md. Ataur Rahman, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Sohsarai P.S. Case No.101 of 2023, dated
01.04.2023 registered for the offences punishable under
Sections 147,148,149,341,323,504,506,353,307,153(A),307 of
IPC and Section 27 of Arms Act.

3. The case of prosecution, in short, is that on
01.04.2023 at about 8.05 o'clock the informant got an
information that there is apprehension of disruption of
communal harmony by some Anti-social elements. It is alleged



that when the informant and other police personnel arrived there they saw a crowd belonging to two different communities who were stone-pelting and fighting with each other. There is allegation of firing by the Hindu Side. The FIR was registered accordingly upon 19 named persons and 140-150 unknown persons.

4. Learned counsel for the petitioners submits that petitioner No.1 carries one more case other than the present one and he is on bail in the said case and petitioner No.2 has clean antecedent and they have falsely been implicated in the present case. From a bare perusal of the FIR it appears that there is no specific allegation of any assault, overt-act or firing attributed against the petitioners rather there is general and omnibus allegation against 19 named accused persons and 140-150 unknown persons and some co-accused persons have been granted bail by the learned court below itself.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, there is no specific allegation of any assault, overt-act against or firing against the petitioners, let the petitioners, above named, in the event of their



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)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Sohsarai P.S. Case No.101 of 2023, 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) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Nitesh/-

U		T	
---	--	---	--

