

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28867 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- GOGRI District- Khagaria

Sonu Khan @ Sarfaroj Alam Son of Sabir @ Babir Khan Resident of Ratan,
P.S.- Gogari, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Gogari
P.S. Case No. 18 of 2025 instituted for the offences under
Sections 103(1), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and
Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the
petitioner is of being involved in the murder of the Informant's
father.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
merely on the basis of suspicion. He further submits that there is



no eye-witness to the alleged occurrence. Even the Informant is not the eye-witness. Even not a single witness has stated of having seen the deceased along with the petitioner. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The police arrested the petitioner 24.01.2024 from his shop and, on search, neither the motorcycle nor mobile of the deceased has been recovered from his possession. He further submits that except suspicion, there is not an iota of evidence which shows the complicity of the petitioner in the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 25.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The postmortem report supports the prosecution case. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner and others.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the



petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gogari P.S. Case No. 18 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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