

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30618 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

SONU KUMAR S/o- Late Aanandi Paswan Resident of village- Mukasapur
Ps- Cheria Bariyarpur, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-07-2025 Heard Mr. Braj Bhusan Poddar, learned counsel for
the petitioner and Mr. Syed Mojibur Rahman, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Cheria Bariyarpur P.S. Case No. 197 of 2024, F.I.R. dated 08.11.2024 for the offences punishable under Sections 126(2), 115(2), 352, 109(1), 3(5) of the B.N.S.

3. According to prosecution case, the informant Ajeet Kumar reported that on 07.11.2024, while returning from Chhath Puja, he was ambushed by Rohit Kumar, Sonu Kumar, Shambhu Kumar, Robin Kumar, and Ram Dulari Devi. Rohit Kumar threatened him over caste issues and, along with others, assaulted him and his cousin with iron rods and lathis. Ram



Dulari Devi also snatched a gold chain, and the villagers later intervened to save them.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation, as alleged in the F.I.R., is false and fabricated and the petitioner has not committed any offence, as alleged in the F.I.R. Although, there is specific allegation against the petitioner that he assaulted to the informant by means of an iron rod and although the informant has received injury but the injury report of the informant suggests that the injury is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and the injury inflicted upon the informant is simple in nature, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Sub Judge cum A.C.J.M., Manjhaul, Begusarai, in connection with Cheria Bariyarpur P.S. Case No. 197 of 2024, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure / Section 482(2) of the
Bhartiya Nagarik Suraksha Sanhita and with other following
conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that 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 step for cancellation of bail bond of the petitioner. 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)

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