

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35186 of 2025**

Arising Out of PS. Case No.-99 Year-2025 Thana- KISHANGANJ District- Kishanganj

Sonu @ Md. Sonu Khan S/o- Sorab R/o- Bakali Basti Ps Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kishanganj P.S. Case No. 99 of 2025 registered for the offences punishable under Sections 190, 191(2), 191(3), 126(2), 115(2), 109(1), 316(2), 318(4), 352, 351(2) of the B.N.S., 2023.

3. As per prosecution case, co-accused Faiyaz was working as a tailor and he took loan of Rs. 5,000/- from the informant on a condition to return the said amount within two months but he did not return the said amount. Thereafter, co-accused Faiyaz alongwith 30-40 persons including the petitioner reached at the business place of informant and started abusing and assaulting him. When Vipul Agrawal, staff of Raymond



Showroom, came to rescue to informant, he was also assaulted by the aforesaid persons as a result of which Vipul Agrawal got severely injured. It is alleged that the aforesaid persons also assaulted the family members, staff and others related with informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that petitioner is mere member of mob. He further submits that petitioner reached at the place of occurrence just to pacify the scuffle. He further submits that the injury sustained by Vipul Agrawal is simple in nature, as mentioned in paragraph 12 of the instant petition. No specific overt-act is attributed against the petitioner. Petitioner bears no criminal antecedent. It has been orally submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that the allegation made in FIR against the petitioner is supported by the victims in the case diary. Hence, he does not deserve anticipatory bail.



6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kishanganj in connection with Kishanganj P.S. Case No. 99 of 2025, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. The application stands allowed.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Alok Kumar Pandey, J)

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