

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36445 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- LAKHAURA District- East Champaran

SONU KUMAR Son of Sanjay Rai Resident of Village - Dostiya, P.S.-
Lakhaura, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra, Adv. Mr. Dhandev Kumar, Adv.
For the Opposite Party/s	:	Mr. Rakesh Bihari Singh, Adv. Mr. Harish Chandra Patel, Adv.
For the State	:	Mr.Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Lakhaura P.S. Case No. 218 of 2024 dated 17.12.2024 registered for the offences punishable u/s 103(1) read with Section 3(5) of the B.N.S.

3. As per the prosecution case, on 17.12.2024, the petitioner and the other accused persons named in the F.I.R. armed with weapon were sitting at the door of Sanjay Rai in a planned manner as a part of conspiracy. It is further alleged that when the informant along with his father after dinner went out, in the meantime, the accused persons surrounded them and on



order of Ram Pukar, all the co-accused persons attacked the informant and his father with an intention to kill them. The accused persons namely, Vijay Prasad Yadav, Sonu Kumar (petitioner), Ruby Devi, Pramod Kumar Yadav and Sanjay Rai kept attacking continuously the informant's father with knife, sharp weapons, lathis etc., due to which, the informant sustained injuries in the stomach and the informant's father got badly injured with knife and other sharp weapons. In order to rescue them, one Sikandar Rai also sustained injuries on head. Further, the accused persons fled away believing the informant's father to be dead. Thereafter, with the help of the villagers, the informant and his father were taken to the hospital where the doctor declared the informant's father dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has been made accused in this case merely on suspicion. There is general and omnibus allegation against the petitioner. The petitioner was not apprehended on the spot. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.01.2025.



5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that the petitioner and the co-accused persons have assaulted the informant's father with knife, lathi and danda due to which he succumbed to the injuries. As per the post-mortem report of the deceased, the cause of death is haemorrhage and shock due to injuries.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Lakhaura P.S. Case No. 218 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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