

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48427 of 2025

Arising Out of PS. Case No.-186 Year-2023 Thana- PRATAPGANJ District- Supaul

Sonelal Yadav @ Sonu Yadav S/O Ashok Yadav @ Brahmdeo Yadav R/O
Village- Mahinathpur, Barhmotra, Ward No.6, P.S- Raghapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Adv. Mr. Raghieb Alam, Adv. Mr. Manowar Hussain, Adv.
For the Opposite Party/s	:	Mr. Shantanu Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-10-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Pratapganj P.S. Case No. 186 of 2023 registered for the
offence under Sections 341, 447, 448, 307, 504, 34 of
the I.P.C. and Section 27 of Arms Act.

3. The petitioner is named in the F.I.R. and is in
custody since 23.08.2024.

4. The allegation against the petitioner is to open
indiscriminate firing upon the informant and his family
members which was made with an intention to kill them.

5. Learned counsel appearing on behalf of the



petitioner submitted that present implication raised against petitioner out of political rivalry surfaced during *Mukhia* election. It is pointed out that in the background of indiscriminate firing only single empty cartridge was recovered at the place of occurrence which was even recovered and handed over to police by informant himself making a serious doubt *qua* occurrence as alleged through FIR regarding indiscriminate firing. It is pointed out that none of the family members including informant received any injury during the occurrence.

6. Explaining criminal antecedent it is further submitted by learned counsel that the petitioner found involved in seventeen more criminal cases out of which, petitioner got bail in ten criminal cases and in one case he was already acquitted. It is pointed out that due to suspicion arising out of these criminal antecedents petitioner implicated with present false case out of political rivalry, where nothing incriminating appears against petitioner during the course of investigation as to



connect him *prima-facie* with present occurrence. It is submitted that if the merit of case otherwise convincing, merely on the ground of criminal antecedents prayer of bail of accused should not be ordinarily denied. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Prabhakar Tewari vs. State of Uttar Pradesh and Anr.*** reported in ***(2020) 11 SCC 648***. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP while opposing the prayer of bail submitted that being eye witness of the occurrence informant raised allegation against this petitioner as to involve in indiscriminate firing upon him and his family members.

8. In view of aforesaid factual submission and by taking note of fact that in the background of



indiscriminate firing only single empty cartridge appears to be produced by informant himself to police in support of occurrence which appears *prima-facie* doubtful in the background of submitted political rivalry, coupled with fact that investigation of this case already completed, where petitioner remains in custody since 23.08.2024, accordingly petitioner above named, is directed to be released on bail in connection with Pratapganj P.S. Case No. 186 of 2023 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, Supaul/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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