

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60164 of 2025

Arising Out of PS. Case No.-507 Year-2024 Thana- MURLIGANJ District- Madhepura

Sonelal Kumar @ Mahto @ Sonelal Mahto S/O Sinheshwar Mahto R/O
Village- Tamot Parsa Devanrahi, Ward No 11, P.S.- Murliganj, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-10-2025 Heard Mr.Surya Narayan Yadav, learned counsel for

the petitioner and Mr.Anil Kumar Singh No. 1, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Murliganj P.S. Case No.507 of 2024, dated
25.11.2024 registered for the offences punishable under
Sections 191(2),191(3),190,126(2),115(2),117(2)109,303(2) of
B.N.S. and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the informant
has stated that on 24.11.2024 at about 02.00 O' clock the FIR
named accused persons including the petitioner variously armed
came and started beating the son of the informant. The
informant further alleged that when Tara Devi came to save



Rajkishor Yadav and Sonelal Mahto (petitioner) ordered and Santosh Kumar fired upon Rajesh Kumar causing injury at the below of the knee of the son of the informant. The informant further alleged that Tara Devi brutally assaulted on solder and hand causing injury. Sunil Yadav and Manoj Yadav took away a box in which 50,000/- kept.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated, although the petitioner is named in the FIR. It appears from the FIR that the FIR is in two parts. In 1st part, there is general and omnibus allegation against all the accused persons including the petitioner and in 2nd part, there is specific allegation of firing attributed against co-accused persons, namely, Santosh Kumar. There is case and counter case. Further submits that similarly situated co-accused person, namely, Raj Kishore Yadav has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 05.05.2024 passed in Cr. Misc. No.26143 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean



antecedent, specific allegation of firing is attributed against co-accused person, namely, Santosh Yadav and similarly situated co-accused person, namely, Raj Kishore Yadav has been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court, 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 learned J.M.1st Class, Madhepura in connection with Murliganj P.S. Case No.507 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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