

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1327 of 2025**

Arising Out of PS. Case No.-289 Year-2024 Thana- ATRI District- Gaya

Sonu Kumar Son of Late Mundrika Singh Resident of Village - Punad, Police
Station - Arti, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabia Gulnaz, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Atri
P.S. Case No. 289 of 2024 instituted for the offences under
Sections 126(2), 115, 109 of the B.N.S. and Section 37 of
the Bihar Prohibition and Excise Act.

3. As per prosecution case, the accusation against
the petitioner is of attempting to commit murder of the
Informant by strangulating her using rope. It is also alleged
that in the meantime, neighboring *gotiya* family arrived there
and saved the Informant. It is also alleged that the petitioner
was also found in possession of knife and was in drunken



state.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is the husband of the Informant. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has never assaulted the Informant and she has not sustained any injury on any part of her body. There is also no injury report. The petitioner is not in a habit of regular consumption of liquor. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 03.08.2024 without any rhymes or reason. Charge-sheet has been submitted in this case under Sections 126(2), 115, 109 of the B.N.S. and Section 37 of the Bihar Prohibition and Excise Act and the charges has also been framed.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Atri P.S. Case No. 289 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(iii) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of



the petitioner.

(iv) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

(Rudra Prakash Mishra, J)

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