

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90249 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- CHACKMEHSI District- Samastipur

Sonu Kumar @ Sonu Kumar Ram Son of Keshar Ram Village- Ghogharaha,
Police Station- Chakamehsi, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Mr. Ranjan Kumar, learned counsel for the

petitioner and Mr. Ganesh Prasad Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.10.2024 in connection with Chakmehsi P.S. Case No. 164 of
2024, F.I.R. dated 10.10.2024 for the offences punishable under
Sections 103(1), 238 and 61(2) of the Bhartiya Nyaya Sanhita
2023 and Section 27 of the Arms Act.

3. According to prosecution case, the informant's son-
in-law in connivance with his two brothers have murdered the
daughter of the informant.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears



from the F.I.R that the petitioner is not named in the F.I.R and his name has been transpired on the basis of confessional statement of the co-accused, namely, Sandeep Kumar Thakur who happens to be the husband of the deceased and from his confessional statement it is evident that the petitioner has participated only to carry the deceased to the hospital. The petitioner is in custody since 11.10.2024.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and his name has been transpired on the basis of confessional statement of Sandeep Kumar Thakur who happens to be the husband of the deceased which suggest that the petitioner is not involved in the present crime in question, let the petitioner, above named, 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 the learned Judicial Magistrate 1st Class, Samastipur in connection with Chakmehsi P.S. Case No. 164 of 2024, subject to the 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 absence on two consecutive dates without sufficient reason, his 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 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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