

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8256 of 2026

Arising Out of PS. Case No.-229 Year-2025 Thana- SIMRI District- Darbhanga

Sonu Kumar Son of Late Lal Babu Chaudhary Resident Of Village- Abdul
Nagar @ Madhopur Chandwara, Ps -Ahiyapur, Dist -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with Simri P.S. Case No. 229 of 2025, dated 12.08.2025, lodged under Section 123 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of Chief Judicial Magistrate, Darbhanga.

3. As per the prosecution, it is alleged in the FIR that after coming out of the station, the informant boarded a four-wheeler near Bairiya Bus Stand to go home. During the journey, the driver allegedly gave him a cold drink mixed with some intoxicating substance, due to which he became unconscious. When he regained consciousness near Atrabel Bishanpur Road, he found that his bag and trolley containing gold items worth



about Rs. 30 lakh, along with his documents, ATM card, and mobile phone, had been stolen. It is also alleged that Rs. 7,400/- was withdrawn from his ATM card.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner is not named in the FIR, and his name has surfaced in the case solely on the basis of the confessional statement of the co-accused. Counsel further submits that nothing has been recovered from the possession of the petitioner, and he is not the owner of the alleged vehicle. Counsel also submits that the criminal antecedent of the petitioner is not clean, as one criminal case is pending against him.

5. Learned counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that it has been acknowledged in the rejection order that the petitioner is not named in the FIR, but his name has been surfaced in this case on the confessional statement of co-accused Santosh Kumar Jha, who stated before the police that he along with accused petitioner and other has administered intoxicated substance in his cold drink and when informant became unconscious then took away bag containing jewellery and cloth



and threw the informant on the road in his unconscious condition. During investigation witnesses have supported the prosecution.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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