

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22522 of 2026

Arising Out of PS. Case No.-308 Year-2023 Thana- MINAPUR District- Muzaffarpur

Sonu Kumar S/o Sri Shambhu Ray R/o Village- Bara Jagannath, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Mr. Purushottam Kumar, Advocate Ms. Somali Acharya, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on 20.07.2023 at about 10 AM, this petitioner came to the house of the informant and took away her son with him and stated that co-accused Santosh Kumar has called him. Thereafter, son of informant did not return and even after search, he couldn't be traced. In the morning, informant got information through newspaper and other sources that one person has been shot dead



in village Bhaw Chhapra and when the informant went to S.K.M.C.H., Muzaffarpur, she identified the dead body is of her son who had sustained fire arm injuries on his head. Informant claims that all the F.I.R. named accused persons, including this petitioner and four to five unknown persons, have committed murder of her son.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. Informant is not an eye witness of the alleged occurrence. Petitioner has falsely been implicated in this case merely on suspicion and there is no direct or indirect material to show complicity of this petitioner in the alleged occurrence. It is further submitted that co-accused Kaushalya Devi, having similar and identical allegations, has already been granted bail by this Hon'ble Court vide order dated 30.01.2025 passed in *Cr. Misc. No. 89987 of 2024*.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that bare perusal of the F.I.R. depicts that it was this petitioner who took away son of informant from the house and later on, this dead body was found. Petitioner cannot claim parity with co-accused Kaushalya



Devi since case of the petitioner is entirely on a different footing. Petitioner has got one criminal antecedent.

6. Considering the facts and circumstances of the case, fact that it was this petitioner who took away son of informant and later on, his dead body was found and criminal antecedent of the petitioner, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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