

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25754 of 2026

Arising Out of PS. Case No.-583 Year-2025 Thana- BAKHTIYARPUR District- Patna

Sonu Kumar @ Sonu Singh S/o Binda Singh R/o Village - Nathachak, P.S -
Fatwah (Kacchi Dargah), District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-04-2026 Heard Mr. Shailendra Kumar Sinha, learned Counsel
for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bakhtiyarpur P.S. Case No. 583 of 2025 for the offence registered under sections 303(2), 317(2) and 3(5) of the BNS.

3. As per the prosecution story, the informant alleged that the Police during night patrolling and on secret information, reached the place and found some persons present there with liquor van. They were identified as Hanuman @ Viranjan Kumar, Ranjit Prasad and Sudil Kumar besides unknown associate. From the pick up van, there was recovery/seizure of high tension electric wires (approx. 33,000 volts). This led to the FIR.

4. Learned Counsel for the petitioner submits that



only because of the fact that he owns the vehicle which actually is driven by Mantu Kumar, got implicated. He was busy with the treatment of his mother who is seriously ill and had no knowledge about the said occurrence. With the help of paragraph 12, his submission is that at no point of time, he was serving with the electricity board and it is an erroneous observation on the part of learned Sessions Judge. The submission is that if the said statement is found to be incorrect, if relief granted, it be declared infructuous. The last submission is that the petitioner do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he being the owner of the vehicle, cannot exonerate himself from the responsibility.

6. Considering the submissions aforesaid as put forward by the learned counsel for the petitioner and the learned APP, the petitioner do not have criminal antecedent, statement has been made that he has never been an employee of electricity board. Though he is an owner, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions.



7. However, if it is found that he is/was an employee of electricity board, the order shall become infructuous.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-IV, Barh (Patna) in connection with Bakhtiyarpur P.S. Case No. 583 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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