

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41619 of 2026

Arising Out of PS. Case No.-22 Year-2025 Thana- BHAIROGANJ District- West Champaran

Sonu Kumar Soni S/o Nand Kishor Soni @ Nand Kishor Prasad, Resident of
Village - Godiapatti, Ward No.- 26, P.S.- Bagha, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Bhairoganj P.S. Case No. 22 of 2025 instituted for the offences punishable under Sections 318(4), 316(2), 115(2), 352 and 351(2) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, allegation against the petitioner is that he being the recovery agent of one Bike Bazar Finance Company took away informant's bike forcibly. It has further been alleged that he received notice from the said finance company with regard to payment of the loan amount then he came to know that the accused person (the petitioner) had not even deposited the said motorcycle with the finance company and he was using it for his own purposes.



4. Learned counsel for the petitioner submits that the allegation against the petitioner is false and concocted as he was not the employee of the said company at the relevant time. It has further been submitted that though the last date of installment is stated to be 20.12.2022, however in the body of the complaint the same has been referred to 20.12.2024 only to make out a case which was false and admittedly being lodged after almost three years. It has further been submitted that no motorcycle has been recovered from the possession of the petitioner, who has one criminal antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bagaha, West Champaran in connection with Bhairoganj P.S. Case No. 22 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a



close relative of the petitioner and the other shall be a local resident:

(ii) the petitioner will remain physically present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) 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 bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) If the petitioner, in future, is found to be involved in similar nature of offence, the prosecution shall be at liberty to move for cancellation of his bail bonds.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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