IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67050 of 2026

CNR No. BRHC010952672026

Arising Out of PS. Case No.-38 Year-2026 Thana- Rangara District- Bhagalpur

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Sonu Kumar Sharma @ Sonu Kumar Son of Shyam Lal Sharma Resident of Village- Dumriya Tikapatti, Bhadaiya Tola Muradpur, Sameli, P.S.- Kursela, District- Katihar.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Vivekanand Singh, Advocate
For the Opposite Party/s : Mr. Nityanand, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

4 04-11-2026 Heard Mr. Vivekanand Singh, learned counsel for the petitioner and Mr. Nityanand, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who has been in custody since 28.07.2026 in connection with Rangara P.S. Case No. 38 of 2026 for the offences punishable under Sections 103(1), 123, 3(5) of BNS, 2023.

3. The prosecution case, in brief, is that on 12/1/2026 at around 2 P.M accused (1) Sonu Kumar (petitioner), (2) Mithlesh Kumar Singh came to the house of the informant together and both of them took away the father of the informant Bablu Yadav (since deceased) from his house with them. It is

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next alleged that at around 6 P.M accused Sonu Kumar (petitioner) and Mithlesh Kumar Singh left back the father of the informant Bablu Yadav in the house of the informant in an intoxicated state. Thereafter, the father of the informant Bablu Yadav started vomiting. The father of the informant Bablu Yadav disclosed the informant that accused Sonu Kumar (petitioner) and Mithlesh Kumar Singh mixed poison in the alcohol and made him drink it and he told the informant to take him to the hospital. Thereafter, the informant admitted his father Bablu Yadav in a private hospital, Bhagalpur for his treatment. He was treated three days in the aforesaid hospital. The doctor referred him to J.L.N.M.C.H, Bhagalpur for his treatment. It is next alleged that on 16/1/2026 at around 10 A.M the doctor who was treating him declared Bablu Yadav dead.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is further submitted that, as per the allegations levelled in the FIR, the petitioner and the co-accused persons allegedly mixed poison in the liquor and made the deceased consume the same.

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Learned counsel for the petitioner next submits that the alleged occurrence took place on 12.01.2026, whereas the fardbeyan of the informant was recorded on 16.01.2026. However, the FIR came to be instituted on 13.02.2026, i.e., after an inordinate delay of more than one month from the date of the alleged occurrence, without furnishing any plausible explanation for such delay. It is further submitted that, from a bare perusal of the FIR, it appears that there is no eye-witness to the alleged occurrence and that the petitioner and the other co-accused persons have been implicated in the present case merely on the basis of suspicion. It is next submitted that the FSL report does not support the allegation as alleged in the FIR. Learned counsel further submits that the FSL report does not corroborate the allegations levelled in the FIR. In this regard, the relevant findings recorded in the FSL report are reproduced hereinbelow:

Result of Examination

"No metallic, Alkaloidal, Glycosidal, Pesticidal and Volatile poison could be detected in the contents of glass jar marked A as described above."

5. Learned counsel for the petitioner further submits that in view of the aforesaid report, the allegations in the FIR are not supported by the medical evidence.

6. The learned Additional Public Prosecutor for State

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has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate 1st, Naugachia in connection with Rangara P.S. Case No. 38 of 2026, 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

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shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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