

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72741 of 2025

Arising Out of PS. Case No.-413 Year-2022 Thana- MINAPUR District- Muzaffarpur

Sonelal Prasad S/o- Bujhawan Prasad Village- Kharhar Police station-
Minapur District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar S.K., Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-01-2026 Heard Mr. Sanjay Kumar S.K. learned counsel
for the petitioner and Mr. Bharat Bhushan, learned APP
representing the State.

2. The petitioner is in custody in connection with
Minapur P.S. Case No. 413 of 2022 for the offence punishable
under sections 147, 148, 149, 341, 323, 506, 302 and 120(B) of
the Indian Penal Code and section 27 of the Arms Act, lodged
on 17.08.2022 by the informant, Birendra Prasad.

3. As per the prosecution story, the informant alleged
tht on 16.08.2022, while his son, namely Prakash Chandra and
his cousins were returning from 'Rampur Hat' after selling
vegetables, 18 named and 4-5 unknown persons surrounded
them. On the order of Nanpat Prasad, Bujhawan Prasad, Punit
Prasad, Krishnadeo Prasad to shoot them, Pappu Prasad @



Panchu Kumar, Sonelal Prasad (petitioner herein) Sujeet Kumar and Subodh Kumar fired from pistol, which however did not hit. However, the gunshot of Pappu Prasad @ Pancu and Sonelal hit the chest and back of his son Prakash Chandra. As the companion of his son raised alarm, thereafter the accused persons fled away. He further alleged that he received information from mobile phone, went with the villagers and saw the escaping persons and identified them.

4. Learned counsel for the petitioner submits that he has already suffered by being in custody since 10.10.2024. Further, Pappu Prasad who is similarly situate has already been granted relief by a coordinate Bench in Cr. Misc. No. 4587 of 2023. The charges have been framed in the matter and further, he was witness in the two of the cases against the informant and the father of the informant and as such implication.

5. Though, he concede that the petitioner delayed going into judicial custody despite named in the F.I.R. The submission is that if granted relief, he shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that his role is specified in the F.I.R.

7. Considering the submissions of the parties as also



that he has suffered by being in custody since 10.10.2025, charge has been framed, similar situate Pappu Prasad is now out on bail as recorded above, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Court No.8 (East), Muzaffarpur, in connection with Minapur P.S. Case No. 413 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her 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 month till the conclusion of the trial to mark his attendance and at the end of the period a certificate be



submitted before the Trial 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 his bail bonds.

(Rajiv Roy, J)

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