

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78237 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- GAYA RAIL P.S. District- Gaya

Sonu Kumar @ Avinash Kumar, Son of Birendra Giri, Mohalla- Siyaram
Colony, P.S.- Belaganj, District- Gaya.

... .. Petitioner

Versus

1. The State of Bihar
2. Sudarshan Kumar, S/o Rajkumar Singh, R/o Chakand Railway Station, Ward
No-14 Chakand Dist- Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Nagendra Kumar, Advocate
For the State : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 26-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Gaya Rail P.S. Case No.28 of 2025, dated-
31.01.2025 registered for the offences punishable under
Sections 109, 118, 3(5) of the B.N.S. and Section 27 of the
Arms Act.

3. As per allegation, the Petitioner has fired at the
victim.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that in course of time, the Informant



has stated before the police that he had lodged this FIR from hearsay. He has not seen the firing by the Petitioner. He also submits that the matter has been compromised and settled between the parties.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Learned counsel for the Informant, who is present in this Court also approve the submission advanced by learned counsel for the Petitioner.

9. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight 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 learned concerned Court below, in connection



with Gaya Rail P.S. Case No.28 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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