

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81758 of 2025

Arising Out of PS. Case No.-108 Year-2024 Thana- Sonki District- Darbhanga

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1. Soman Lal Dev @ Soman Kumar @ Soman Kumar Lal Dev S/o Lal Saheb Lal Dev Resident of Village- Mahapara, PS- Sonki, Distt.- Darbhanga
 2. Lal Saheb Lal Dev S/o Late Brahamdev Lal Dev Resident of Village- Mahapara, PS- Sonki, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Nath Jha, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. At the outset, learned counsel for the petitioners submit that he shall not press the bail application of the petitioner no. 2 namely, Lal Saheb Lal Dev.

3. The application on behalf of the petitioner no. 2, namely, Lal Saheb Lal Dev, stands dismissed as not pressed.

4. The present petition now only survives for the petitioner no. 1 namely, Soman Lal Dev @ Soman Kumar @ Soman Kumar Lal Dev.

5. The petitioner apprehend his arrest in connection with Sonki P.S. Case No. 108 of 2024 dated 13.12.2024



registered for the offences punishable under Sections 126(2), 115(2), 303(2), 324(4) and 3(5) of the B.N.S.

6. As per the prosecution case, the informant has alleged that the petitioner and the co-accused person were assaulting her husband and when she tried to save her husband, the co-accused, Lal Sahab Lal Dev gave a blow on her head with sharp cutting weapon causing grievous injury while the other took away her gold chain.

7. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case and the entire allegations are false and frivolous. It has further been submitted that there is a case and counter case for the same occurrence and subsequent thereto parties have also compromised among themselves however one of the sections being under 110 of the B.N.S., is not compoundable. It has further been submitted that the allegation levelled against the petitioner no. 1 is not supported by any corroborating injury to be found on the informant Kajal Kumari and her husband. It has lastly been submitted that the petitioner has clean antecedent.

8. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the injured Kajal Kumari (informant) has



sustained fracture of parietal bone and left squamous temporal bone. Though the same is attributed to the petitioner no. 2 whose bail is not pressed.

9. Considering the aforesaid submissions made on behalf of the parties and taking into account the facts and circumstances of the case, the petitioner no. 1 namely Soman Lal Dev @ Soman Kumar @ Soman Kumar Lal Dev, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Sonki P.S. Case No. 108 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial 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 be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioners have concealed their criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

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

11. The application stands allowed.

(Sourendra Pandey, J)

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