

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88205 of 2025

Arising Out of PS. Case No.-56 Year-2025 Thana- FCI District- Begusarai

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1. Sonu Kumar S/o- Bipin Kumar Ray @Bipin Ray Resident of village- Simariya Police Station- Chakia FCI District- Begusarai
 2. Monu Kumar @ Ajay Kumar S/o- Bipin Kumar Ray @ Bipin Ray Resident of village- Simariya Police Station- Chakia FCI District- Begusarai
 3. Nand Kumar S/o- Bipin Kumar Ray @ Bipin Ray Resident of village- Simariya Police Station- Chakia FCI District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvottam Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 121(1), 121(2), 115(2), 109, 127(1), 191(2), 126(3)(A), 262, 132 of B.N.S.

3. The allegation in the First Information Report is that while the police officials had come to arrest the petitioner no.1, Sonu Kumar, the entire family of the said accused prevented the police officials from doing their duties and also indulged in assault.

4. Learned counsel for the petitioners submits at the



outset that the entire arrest is *malafide* for the reason that by an order dated 04.08.2025 passed by a Co-ordinate Bench of this Court in Cr. Misc. No.45712 of 2025, it was ordered that no coercive steps would be taken against the petitioner no.1, Sonu Kumar, however present occurrence is said to have taken place on 08.08.2025, which is merely four days after the grant of interim protection to the petitioner no.1, Sonu Kumar. It is also a fact that in the entire incident the mother of the petitioner no.2 was also arrested and taken away by the police and so far as the petitioners no.2 and 3 are concerned, their names were also disclosed later on based on the identification made by the Mahal *Chaukidar*. Although the existence of injury report has been mentioned in the bail rejection order but the nature of the injury has not been specified and it is also disclosed that the treatment was done in Barauni PHC leading to the inference that no serious injuries were suffered by the injured persons.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that despite existence of interim protection against petitioner no.1, the police had gone to



arrest him which may have been opposed by the petitioners resulting in the present case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each 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 F.C.I. P.S. Case No. 56 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, further subject to following condition(s):

(i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioners shall co-operate with the investigation, if not already concluded and make themselves available and when so required, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(Soni Shrivastava, J)

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