

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13210 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- GANDHIMAIDAN District- Patna

Birendra Kumar Pandey Son Of Late Yadunandan Prasad R/O Village-
Lodipur, P.S.- Gandhi Maidan, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13212 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- GANDHIMAIDAN District- Patna

Sunil Kumar Son Of Sitaram Resident Of Village- Chitnawa, P.S.- Manner,
District- Patna, At Present Lodipur, Renter In The House Of Pankaj Pal, P.S.-
Gandhi Maidan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13214 of 2023

Arising Out of PS. Case No.-36 Year-2023 Thana- GANDHIMAIDAN District- Patna

Mukesh Kumar Son Of Binod Prasad @ Binod Kumar Resident Of Village -
Mustafpur, P.S.- Ahiyarpur, District - Muzaffarpur, At Present Renter Of
Prayag Sah Mandiri, P.S.- Budha Colony, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 13210 of 2023)

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Shaheen Begum

(In CRIMINAL MISCELLANEOUS No. 13212 of 2023)

For the Petitioner/s : Mr.Parmeshwar Vishwakarma

For the Opposite Party/s : Mr.Anil Kumar

(In CRIMINAL MISCELLANEOUS No. 13214 of 2023)

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Dilip Kumar No. 1



CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Gandhi Maidan P.S. Case No. 36 of 2023 registered under sections 341, 342, 323, 353, 504, 506 and 34 of the Indian Penal Code and Sections 37 and 45 of the Bihar Prohibition and Excise Act.

Allegation against the petitioners is that they hindered in the official duty of the police team, when police caught one person who is alleged to be consumed alcohol and thereafter they released the arrested person from police by attacking on police party due to which some police personnel sustained injuries. It is further alleged that Petitioner, Mukesh Kumar and Petitioner Sunil Kumar have also consumed liquor.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that there is no specific overt act against these petitioners rather general and omnibus allegations have been levelled against all of them. Nothing consistent material has come against them. It is also submitted that a statement has been made in para-3 of



these petitions that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 18.01.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Gandhi Maidan P.S. Case No. 36 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna.

(Sunil Kumar Panwar, J)

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