

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18575 of 2023**

Arising Out of PS. Case No.-21 Year-2023 Thana- CHANDAUTI District- Gaya

Rohit Kumar S/O Sri Surendra Chaudhary @ Sulendra Chaudhary Resident
of village- Neyazipur, P.S.- Chandauti, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Chandauti P.S. Case No. 21 of 2023 dated 08.01.2023 registered
for the offences punishable under Sections 147, 149, 341, 323,
504, 506 and 353 of the Indian Penal Code and Sections 37(c)
and 45 of Bihar Prohibition and Excise Act.

3. The main submissions advanced by learned
counsel for the petitioner are that in the present matter as per the
prosecution's allegation, the police party raided the houses of
two co-accused persons namely Sarju Chaudhary and Sabitri
Devi on the allegation that the said co-accused persons
indulged in selling of illicit liquor to villagers and after the raid,
the co-accused persons were apprehended from the spot in



drunken condition and when the police party arrested the said co-accused persons, several villagers including the petitioner gathered and resisted the arresting of the co-accused persons and as per the allegation, all of them pelted stones and bricks at the police personnel causing injuries to them and the petitioner is stated to be one of them but against him, there is no specific allegation and he is merely stated to be a member of mob and he has fair and clean antecedent and has been languishing in jail since 09.01.2023.

4. Learned APP appearing for the State opposes the bail prayer of the petitioner and submits that the petitioner and other co-accused persons not only created obstacle in the discharge of the official duty of the police personnel but also assaulted them by *lathi*, *danda* and *bricks* and there is serious allegation against this petitioner.

5. Considering the above submissions and mainly the nature of allegation appearing against the petitioner and also the facts that petitioner's specific role in the alleged crime has not been revealed and he is merely stated to be a member of mob and he has fair and clean antecedent and against him, the investigation has been completed, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-



above be enlarged on bail on furnishing bail bond of Rs.10,000/-
(Ten Thousand) with two sureties of the like amount each to the
satisfaction of the Court concerned in connection with
Chandauti P.S. Case No. 21 of 2023.

(Shailendra Singh, J)

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