

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64105 of 2023

Arising Out of PS. Case No.-433 Year-2023 Thana- BIHAR District- Nalanda

SURAJ KUMAR S/o LATE OM PRAKASH SAW R/o mohalla - Nai Sarai
Gauragardh, Sangatgali, P.S. - Bihar, distt. - Nalanda, A/p Kagaul Road, G.T.
Tent House, Mithapur, P.S. - Jakkanpur, Dist. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-10-2023 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bihar P.S. Case No. 433 of 2023, registered under sections 307, 341, 323, 337, 379, 504, 34 of the Indian Penal Code to which section 37 of the Bihar Prohibition and Excise Act, 2016 was added subsequently.

3. As per the prosecution case, the informant states that on the date of occurrence, he was assaulted by the accused persons who also took Rs. 3,500/- from his pocket. Later two of the accused persons including the petitioner was caught by the police personnel.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. No such



occurrence has taken place. The petitioner is in custody since 14.05.2023. The petitioner has no criminal antecedent and co-accused Raushan Kumar has been enlarged on bail vide order dated 15.09.2023 passed in Cr. Miscellaneous No. 61148 of 2023. Charge-sheet has submitted in this case.

5. The prayer of the bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., the petitioner being in custody since 14.05.2023 and not having any criminal antecedent, co-accused Raushan Kumar having been enlarged on bail vide order dated 15.09.2023 passed in Cr. Misc. No. 61148/2023, the petitioner is directed to be enlarged on bail in connection with Bihar P.S. Case No. 433 of 2023, 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 ADJ-Vth cum Exclusive Special Excise Court No. 1, Biharsharif, Nalanda.

(Partha Sarthy, J)

Ranjeet/-

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