

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5248 of 2024

Arising Out of PS. Case No.-838 Year-2023 Thana- BIHAR District- Nalanda

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Sunny Kumar @ Sanni Kumar Son of Late Chhotelal Prasad R/o Mohalla -
Gauragarh, P.S. - Bihar, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
147, 149, 341, 332, 323, 427, 337 and 353 of the IPC and
Section 45 of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case by the
informant.

4. It is next submitted that from perusal of the
allegation as alleged in the FIR, it would manifest that one
Guddu Kumar was creating nuisance after drinking as such the



police reached the place of occurrence and when he was being brought to the police station when it is alleged that unknown accused persons raised objection and also had scuffled with the police and taking advantage of the situation Guddu fled. The learned counsel submits that petitioner has been implicated based on suspicion. It is also submitted that it absolutely does not turn to reason that how the informant came to know about the petitioner when the petitioner and the informant are not known to each other. It is next submitted that though it is alleged that the name of the petitioner was disclosed by local people but then the name of the local person is not disclosed in the FIR, which cast an asperstion on the case of the prosecution.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bihar P.S. Case No.838 of 2023,



subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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