

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77987 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- SONPUR RAIL P.S. District- Saran

Surya Kant Pandey S/O Kedar Nath Pandey R/O Village- Dharhara (Paura),
Police Station- Sarai, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Advocate
For the Opposite Party/s : Ms. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sonpur Rail P.S. Case No. 125 of 2024, instituted for the offences punishable under Sections 132, 352 of of the Bharatiya Nyaya Sanhita, 2023 and Section 37(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, the petitioner in drunken state created nuisance and misbehaved with passenger and police personnel in train. The petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner further submits that no any passenger of such train made a complaint against the petitioner regarding such allegation. The petitioner is in custody since 06.09.2024 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonpur Rail P.S. Case No. 125 of 2024.

(Rudra Prakash Mishra, J)

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