

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84441 of 2024**

Arising Out of PS. Case No.-731 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Ahsanul Haque S/o- Late Moijuddin @ Moinuddin R/o Mohalla- Salamat  
Nagar PS and Distt- Katihar ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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

ORAL ORDER

2      11-12-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with Katihar  
(Town) PS Case No. 731 of 2024 instituted for the offences  
under Sections 126(2), 115 (2), 74, 352 of B.N.S and 37 of the  
Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that on  
06.10.2024 the informant came to meet her mother from Delhi  
and it is alleged that on the same day the petitioner entered into  
the room of the informant after taking wine and abused and  
assaulted the informant.

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. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that petitioner is the brother of the informant. It is further submitted that informant wanted to reside in the house of the petitioner and directed to shift the petitioner along with family members to another place but on refusal by the petitioner, present false case has been lodged. The petitioner is in custody since 06.10.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Katihar (Town) PS Case No. 731 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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