

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82823 of 2023

Arising Out of PS. Case No.-852 Year-2023 Thana- BIHAR District- Nalanda

Rahul Kumar @ Chikku @ Jikku S/O Arjun Choudhary, R/O Katrapar, Ps-Bihar Distt. Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 337, 354, 353, 307, 504 of the Indian Penal Code and Section 37 of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner along with other co-accused persons is that they created hindrance in discharging the official duties of the police personnel who came there for pacifying the dispute which has been arisen between the petitioner and one co-accused. It is further alleged that they misbehaved with the ladies police personnel as well. Co-accused was apprehended in drunkard condition.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to highhandedness of the police personnel. It is further submitted that police personnel assaulted the co-accused where people opposed the police for assault. Petitioner has not committed any offence as alleged in FIR. Moreover, he is languishing in judicial custody since 30.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bihar P.S. Case No. 852 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-5th-cum Special Judge (Excise), Biharshariff, Nalanda.

(Sunil Kumar Panwar, J)

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