

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3544 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- Bahera District- Gaya

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Santosh Kumar @ Santosh Kumar Choudhary @ Santosh Kumar Choudhari
@Santosh Choudhary Son of Suresh Choudhary Resident of Village - Amin,
P.S. - Haunterganj, District - Chatra, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bahera P.S. Case No. 35 of 2024 dated 12.05.2024 for the offences punishable u/ss 147, 148, 149, 341, 323, 325, 326, 307, 332, 333, 353, 414, 420, 467 and 468 of the Indian Penal Code and Sections 30(a), 41 and 45 of the Bihar Prohibition and Excise Act and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have formed an unlawful assembly and made hindrance in discharging the official duty of the police personnel. They also assaulted the police party with



lathi, danda and stones causing injuries to them. It is further alleged that the petitioner Santosh Kumar fired on the police party which did not hit anyone and thereafter police recovered four motorcycles, two mobiles, two empty cartridges from the place of occurrence. It is further alleged that total 14 litres of country made liquor was also recovered from the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner was disclosed by local people. The petitioner is neither the owner of the said motorcycle nor the recovered liquor belongs to the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.12.2024

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the specific allegation of firing on the police personnel is against the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Bahera P.S. Case No. 35 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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