

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8101 of 2025

Arising Out of PS. Case No.-491 Year-2023 Thana- SASARAM NAGAR District- Rohtas

1. Prakash Kaul, Son of Awadh Kaul, Resident of Village - Tarachandi Colony, P.S. - Darigaon, District - Rohtas
2. Akash Kaul, Son of Awadh kaul, Resident of Village - Tarachandi Colony, P.S. - Darigaon, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ojaswee Kumari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 19-03-2025 Heard Ms. Ojaswee Kumari, learned counsel for the petitioners and Mr. Upendra Kumar, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Sasaram (Town) Darigaon P.S. Case No. 491 of 2023 dated 10.06.2023 registered for the offences punishable under sections 341, 323, 353 and 506 read with section 34 of the Indian Penal Code.

3. The main submissions advanced by petitioners' counsel are that the petitioners have been implicated in the present case by the informant on account of some altercation having taken place in between them and as per the FIR, two sacks containing country-made Mahua liquor were recovered



from the alleged place but in this regard, no seizure memo was prepared and the petitioners have been alleged to be the riders of the motorcycles by which the alleged country made Mahua liquor was being transported but in actual, the petitioners have no connection with the alleged motorcycles. Learned counsel further submits that there is no specific allegation against the petitioners, in fact the petitioners were simply the member of the mob, who surrounded the informant. Learned counsel further submits that the co-accused persons, namely, Bhuar Ram @ Ram Pravesh Kumar and Langtu Ram @ Krishn Mohan Kumar @ Krishna Mohan Kumar, against whom there is allegation of assaulting the informant by using iron-rod and stones respectively, have been granted the relief of anticipatory bail by this Bench vide order dated 08.11.2023 passed in Cr. Misc. No. 69366 of 2023.

4. Learned APP for the State has opposed the bail prayer of the petitioners.

5. Considering the submissions advanced by petitioners' counsel and mainly taking into account that there is no specific allegation against the petitioners and they were simply alleged to be the member of the mob coupled with the privilege of anticipatory bail having been granted to the co-



accused persons named-above against whom there is allegation of assaulting the informant, in my opinion, in the said circumstances, the petitioners deserve to the relief of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Sasaram (Town) Darigaon P.S. Case No. 491 of 2023, subject to the conditions as laid down under Section 482(2) of the Cr.P.C.

(Shailendra Singh, J)

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