

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4809 of 2025

Arising Out of PS. Case No.-338 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Aayusman Kumar @ Ansuman Kumar @ Aayushman Kumar S/O Suresh Singh @ Umesh Singh, Resident of Village- Balhi Narsing, P.S- Rajepur, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Jyotsna Rani Mishra, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353, 332, 333, 427, 504 and 506 of the Indian Penal Code and under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of the recovery of 24.36 litres of liquor from a place behind the house of Amrendra Singh. He further submits that petitioner was not arrested from the spot, as such nothing was recovered from his conscious possession and even alleged recovery is from a place, which is accessible to public at large and does not belong



to the petitioner, nor the petitioner has any concern with Amrendra Singh. But, then the informant alleges that on information Amrendra Singh was apprehended, when Ashok Singh along with twenty-five to thirty persons came at the place of occurrence, variously armed with *lathi*, *danda* and bricks and attacked the police force, on account of which police force was injured and miscreants were identified by the *chowkidar*. It is submitted that it does not appear probable that the *chowkidar* would have identified all the accused persons. It is next submitted that since petitioner lives nearby to the place of occurrence, as such he came to be implicated.

4. Learned Additional Public Prosecutor for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred only) with two sureties of the like amount each to the satisfaction of the learned trial Court, where the case is pending / successor Court, in connection with **Sahebganj P.S. Case No. 338 of 2024**, subject to the conditions



as laid down under Section 438(2) of the Cr.P.C.

6. It is made clear that that thereafter the learned trial Court shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Shahnawaz/-

U		T	
---	--	---	--

