

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10173 of 2025

Arising Out of PS. Case No.-140 Year-2024 Thana- Lakho District- Begusarai

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1. Uttam Sada Son of Naresh Sada Resident of Village - Bahdarpur, P.S. - Lakho, District - Begusarai
 2. Dinesh Sada Son of Dhobhi Sada Resident of Village - Bahdarpur, P.S. - Lakho, District - Begusarai
 3. Babita Devi Wife of Uttam Sada Resident of Village - Bahdarpur, P.S. - Lakho, District - Begusarai
 4. Bhutta Sada @ Bhura Sada Son of Ram Sharan Sada Resident of Village - Bahdarpur, P.S. - Lakho, District - Begusarai
 5. Chunchun Sada @ Bhola Sada @Gholat Sada Son of Ramji Sada Resident of Village - Bahdarpur, P.S. - Lakho, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with G.R. No. 1383 of 2024, arising out of Lakho PS. Case No.-140 of 2024, dated 28.09.2024 registered for the offences punishable under Sections 190, 191(2), 109(1), 132, 115(2), 118(2), 121(2), 324(2) of B.N.S. and Section 45 of the Bihar Prohibition and Excise Act, 2022.



3. As per the written report, lodged by the police official, the police party was assaulted by mob of 11 known persons and 10-15 unknown persons and as per the statement of local *chowkidar*, when the police party had gone for raid on manufacturing place of illicit liquor by the accused persons, including the petitioners.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners have no connection at all with the alleged offence. The names of the petitioners have been given by the police only on the basis of suspicion which was not possible to identify the persons in mob. He also submits that the alleged injury is simple in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named,



to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Court No. 1, Begusarai, in connection with Lakho P.S. Case No.-140 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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