

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28419 of 2025

Arising Out of PS. Case No.-44 Year-2023 Thana- ISMAILPUR District- Bhagalpur

1. Lalo Devi W/o Ram Swaroop Mandal R/o vill - Choti Parbatta, P.S.- Ismailepur, Distt.- Bhagalpur
2. Priti Kumari W/o Sunil Kumar R/o vill - Choti Parbatta, P.S.- Ismailepur, Distt.- Bhagalpur
3. Ram Swaroop Mandal S/o Late Garbu Mandal R/o vill - Choti Parbatta, P.S.- Ismailepur, Distt.- Bhagalpur
4. Bulu Kumar @ Bablu Kumar S/o Ram Swaroop Mandal R/o vill - Choti Parbatta, P.S.- Ismailepur, Distt.- Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504 and 353 read with Section 34 of the Indian Penal Code and under Sections 37 and 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the informant namely, Ajaj Rijwi received information that some persons are abusing and assaulting and when he reached the alleged place to investigate about the same, he saw that one person, in a drunken



condition, is abusing and scuffling with the police force and when the informant tried to pacify the matter, the family members of the drunk person also scuffled with the Police force.

4. Learned counsel for the petitioners submits that petitioners have clean antecedents and they have falsely been implicated in the present case merely on the basis of suspicion. He further submits that no objectionable excise material has been recovered from the conscious possession of the petitioners. He lastly submits that names of petitioners transpired on the basis of confessional statement of the co-accused, who was arrested in a drunken condition.

5. Learned APP for the State has opposed the bail petition and submits that petitioners are named in the FIR and with the accusation that they obstructed police personnel in discharge of their duty.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled in the FIR, the prayer for anticipatory bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

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