

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33007 of 2025

Arising Out of PS. Case No.-289 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Krishna Kumar @ Krishna Sahni S/o Late Suresh Sahni R/o Vill.- Ali Nagar
English, P.S. - Suryagarha, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.
For the State : Mr. Shyam Kumar Singh, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-05-
2025

Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner seeks bail in a case registered for the of-
fences punishable u/s 191(2), 190, 121(1), 121(2), 125(a), 132,
109(1), 324(4), 351(2) of the B.N.S., 2023.

3. The FIR discloses that on a confidential information
that the accused persons including the petitioner have kept the il-
legal liquor for selling, the police personnel had reached the
house of one Laxman Sahni where they found the present peti-
tioner Krishna Kumar and other accused persons present there. It
has been alleged in the FIR itself that the police personnel were
in civil dress who had surrounded the house of the said Laxman
Sahni and in the meantime, it has been stated that 4-5 persons
started fleeing away and some of the accused persons prevented



the police personnel from discharging their duties and assaulted them by means of *lathi*, *danda* and brickbats.

4. Learned counsel for the petitioner submits that on the basis of suspicion, the names of the petitioner and other accused persons have transpired in the present case with the allegation that they prevented the police officials from discharging their official duties. It is further submitted that as a matter of fact, since the police personnel were in civil dress and the said locality is a naxal affected area, the petitioner and other co-accused persons tried to prevent themselves thinking them to be Naxalites. It is further submitted that it was the house of co-accused Laxman Sahni which was raided by the police party and the petitioner has no connection with the said Laxman Sahni. There is general and omnibus allegation on all the accused persons of having indulged in the act as alleged in the FIR. It is next submitted that in para 15 of the petition it is stated that in the incident, only two police officials sustained hurt injuries at their feet which were simple in nature. Further, it would appear from the bail rejection order itself that the co-accused Rahul Kumar, on the same set of facts, had been granted bail, whereas the bail was denied to the present petitioner on the ground of his criminal antecedents. It is lastly submitted that charge sheet has been



submitted against the petitioner and he is in custody since 03.03.2025.

5. Learned APP for the State, however, opposes the prayer for regular bail on the ground that the petitioner has six criminal antecedents including the instant case. In response to the same, it is submitted on behalf of the petitioner that he is on bail in all the cases except the present one.

6. Considering the above-mentioned facts and circumstances, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Suryagarha P.S. Case No. 289 of 2024, subject to the condition that the petitioner shall remain physically present in the court on each and every date during trial till the charges are framed and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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