

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33041 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- MASHRAK District- Saran

1. Kundan Kumar S/O Narayan Tiwary Resident of village- Belwa, PS-Banuchaper, District- West Champaran Presently posted at Excise Police Station, PS-Masharakh, Distt-Saran
2. Santosh Kumar S/O Chaturi Mahaldar R/O Village-Koili,Khutaha,PS-Jagdishpur, Distt-Bhagalpur Presently posted at Excise Police Station, PS-Masharakh, Distt-Saran
3. Sunil Kumar S/O Mahadeo Singh R/O-Ward no. 4, Shivnarayanpur, Mathurapur, PS-Kahalgaoon, Distt-Bhagalpur Presently posted at Excise Police Station, PS-Masharakh, Distt-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with
Masharakh P.S. Case No.27 of 2025 instituted under Sections
115(2), 126(2), 132, 352, 351(2)(3) and 3(5) of the B.N.S.,
2023.

3. As per prosecution case, the informant being police
official of Masharakh P.S. alleged that he is the Investigating
Officer of Masharakh P.S. Case No.21 of 2025 and during
course of investigation it had come to the light that Vehicle 112



had gone to the incident site of Masharakh P.S. as per orders of senior officials for verification but the excise police officials posted at Excise Police Station, Masharakh started abusing and attacked with intention to kill the officers/constables of Vehicle 112 and intervened in official duty.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case with ulterior motive. There is general and omnibus allegation against the petitioners, who are excise officials posted at Excise Police Station, Masharakh, Saran. The alleged incident took place on 23.01.2025 and the present case has been lodged on 31.01.2025 without any plausible explanation. It is further submitted that the informant and the petitioners both are officials and due to some differences between them, the present case has been lodged. Petitioners undertake to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail



bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Masharakh P.S. Case No.27 of 2025, subject to the conditions as laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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