

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46655 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- DIGHWARA District- Saran

1. Abhishek Kumar S/o Dinesh Ram @ Bhola Paswan R/o Village- Basatpur (Dhighwara), P.S.- Dhighwara, District- Saran at Chapra
2. Aditya Kumar @ Aditya S/o Anil Ram @ Anil Paswan R/o Village- Basatpur (Dhighwara), P.S.- Dhighwara, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Dighwara P.S. Case No. 23 of 2025 instituted under Sections 126(2), 115(2), 118(1), 109, 132, 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, two co-accused persons, namely, Shrawan Kumar and Sobha Devi were arrested from whom 50 litres illicit liquor were recovered. The allegation



against the accused persons including the petitioners is that they assaulted the police party and two accused persons fled away.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioners have no concern with the recovered liquor or the other co-accused persons. Petitioners are students having no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioners. Except for the allegation that the petitioners are the part of the mob, there is no material against the petitioners. Petitioners undertakes to co-operate in the investigation and trial.

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 upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Additional Sessions Judge-cum-1st Exclusive Special Judge, Excise, Saran at Chapra in connection with Dighwara P.S. Case No. 23 of 2025, subject to the conditions laid down in



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Sunil Dutta Mishra, J)

saurovkrishna/-

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