

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52432 of 2025

Arising Out of PS. Case No.-217 Year-2025 Thana- SONEPUR District- Saran

Mithun Nat Son of Kumar Nat @ Kunwar Khalifa Resident of village -
Jaitiya, Police Station - Sonapur District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anant Kumar Bhaskar, Adv
		Mr. Sanjay Kumar Jha, Adv
For the Opposite Party/s :		Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 01-08-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Section 37 of Bihar
Prohibition and Excise Act and 126(2), 115(2), 191(1), 191(2),
191(3), 190, 109, 132, 121(1), 121(2), 352, 351(2), 351(3) and
3(5) of the B.N.S. Petitioner has clean antecedent.

3. As per the prosecution case, the police had gone to
village Jaitiya and when they were alighting from the jeep, it is
alleged that altogether 12 named accused persons along with 10
to 12 unknown persons attacked the police and hurled abuses. It
is further alleged that when the police tried to stop them, the
accused persons fled away from the place of occurrence but the



police apprehended the co-accused Bablu Gop and Rakesh Kumar, who were found to be in an inebriated condition

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The learned counsel for the petitioner further submits that no incriminating article has been recovered from the conscious possession of the petitioner. It is also submitted that similarly situated co-accused person has already been granted bail this Court vide order dated 01.07.2025 passed in Cr. Misc. No. 31493 of 2025. It has lastly been submitted that petitioner is in custody since 15.03.2025.

5. The learned A.P.P. for the State has opposed the prayer for bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that similarly situated co-accused person has already been granted bail as well as the nature of allegation being general an omnibus, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran, in connection with Sonepur P.S. Case No. 217 of 2025,



subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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