

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57107 of 2025

Arising Out of PS. Case No.-2 Year-2022 Thana- SUPAUL District- Supaul

Chhotu Jha @ Kumar Abhishek Son of Raju Jha @ Ranjan Kumar Jha
Resident of Village - Baruari, East V.I.P. Road, Police Station - Supaul,
District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case instituted under Sections 147, 149, 341, 323, 307, 379, 353, 332, 333, 504, 506 of the I.P.C. and Section 45 of the Bihar Prohibition and Excise Act and Section 3(i)(r)(s) of the SC/ST Act.

3. As per prosecution case, on the alleged date of occurrence i.e. on 01.01.2022 at 8:30 p.m. the informant, who is a police official, along with police party on getting information that the accused persons including petitioner after consuming liquor are creating nuisance, reached at the place of occurrence where a feast was going on. During that period the house owner raised objection and some persons assembled there



started pulling muffler of the informant and assaulted him and the police party with fits and slaps. It is alleged that any how to save their lives, the police party reached to the police station on 02.01.2022 at 06:00 a.m. The local *chaukidar* disclosed the names of accused persons including petitioner.

4. 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 alleged occurrence took place on 01.01.2022 at about 9:00 p.m. but the police lodged the present case on 02.01.2022 without any proper explanation. The informant and other police officials were invited to attend feast but the police party created nuisance and to teach lesson, on the next day police lodged false and fabricated case. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and the 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 petitioner be released on bail on furnishing bail



bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise, Court No.01, Supaul in connection with Supaul (Lokha O.P.) P.S. Case No.02 of 2022 subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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