

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88556 of 2024

Arising Out of PS. Case No.-459 Year-2024 Thana- MUFFASIL District- Aurangabad

Swarnjeet Singh @ Swarnjeet Kumar Singh Son of Late Mukund Narayan Singh Resident of Village- Bharthouli, P.S- Muffasil, P.O- Ram Vilas Nagar, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 89617 of 2024

Arising Out of PS. Case No.-459 Year-2024 Thana- MUFFASIL District- Aurangabad

1. Ravinder Singh Son of Late Dashrath Singh Resident of Bharthouli, P.S- Muffasil, P.O.- Ram Vilas Nagar District -Aurangabad, Bihar
2. Pappu Kumar Singh Son of Indrajeet Singh Resident of Bharthouli, P.S- Muffasil, P.O.- Ram Vilas Nagar District -Aurangabad, Bihar
3. Raj Kumar Singh Son of Harendra Singh Resident of Bharthouli, P.S- Muffasil, P.O.- Ram Vilas Nagar District -Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 88556 of 2024)

For the Petitioner/s : Mr. Dayanand Singh, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 89617 of 2024)

For the Petitioner/s : Mr. Dayanand Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Muffasil P.S. Case No. 459 of 2024, instituted for the offences



punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 121(1), 121(2), 125, 109(1), 132 & 352 of the Bharatiya Nyaya Sanhita, 2023 and Section 37(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, informant on information with regard to altercation took place between two groups, who had contested the PACS election, reached at the place of occurrence. On seeing the police party, the persons who were in inebriated condition abused the police and also pelted stones upon them due to which some personnel sustained injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. It is submitted that so far as injury of the police personnel is concerned, the same is found to be simple in nature. The allegation levelled against the petitioners are general and omnibus in nature. No specific allegation of pelting stones upon the police personnel has been attributed against these petitioners. It is next submitted that the alcohol test conducted on the petitioners showed no trace of alcohol. The petitioners are in judicial custody since 30.11.2024 and have got no criminal antecedent.



5. Learned counsel for the petitioners further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 20.12.2024 passed in Cr. Misc. No. 87940 of 2024 and Cr. Misc. No. 87656 of 2024.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioners and claim based on parity, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 459 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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