

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.871 of 2025**

Arising Out of PS. Case No.-68 Year-2024 Thana- VISHNUPAD District- Gaya

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1. Rahul Kumar S/O Niwash Paswan Resident of Village- Sila, P.S.- Vishunpad, District- Gaya.
  2. Nishant Kumar @ Nishant Raj S/O Ram Deep Singh R/O Village- Kathiaoundh, P.S- Fatehpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Sonam Kumari, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

ORAL ORDER

2      17-01-2025                      Heard learned counsel for the petitioners, Ms. Sonam Kumari as well as learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 333, 353, 504, 506 of the Indian Penal Code, under Section 27 of the Arms Act, under section 37 of the Bihar Prohibition and Excise Amendment Act 2022 and under Section 6/9 Loudspeaker Act in connection with Vishnupad P.S. Case No.68 of 2024.

3. The learned counsel for the petitioners submit that the petitioners are persons with clean antecedent and the informant alleges that for maintaining law and order, the police team reached near Ghughritand Chhattu Bigha and when they



reached near a Mosque, some members informed that on occasion of Ravidas ceremony people are playing unethical songs on account of which, their prayers are getting disturbed, accordingly, the police team reached Ravidas Tola and saw that some miscreants were playing music and were dancing and when they asked the miscreants to restrain, it is alleged that they indulged in brick-batting and even started pelting stones on account of which, some police personnel sustained grievous injury and miscreants even fired, thereafter, it is alleged that motorcycles along with 11 sound boxes, three amplifiers, two auto cut stabilizers, two empty cartridges of .315 bore were seized from the place of occurrence along with the other articles.

4. The learned counsel for the petitioners submit that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that it is not the case of the prosecution that petitioners were found drunk. It is also submitted that petitioners resides near the place of occurrence, as such, their motorcycle was found parked which was seized, it is further submitted that even allegation of firing is general and omnibus in nature and no one was injured, which amply demonstrates that the said allegation has been alleged only to



give serious colour to the case. It is also submitted that though in the FIR, it is alleged that police personnels sustained grievous injury, but then, injury is not discussed in the order impugned.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, IV, Gaya in connection with Vishnupad P.S. Case No.68 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

**(Satyavrat Verma, J)**

Prakash Narayan

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