

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.3251 of 2025

Arising Out of PS. Case No.-459 Year-2024 Thana- RAJIVNAGAR District- Patna

Prabhat Kumar Singh @ Munna Kumar Son of Rajeshwar Prasad Singh
Resident of Shahpur Pool, Defense Colony, P.S.- Shahpur (Danapur), Distt.-
Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 20-02-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail,
arises out of Rajeev Nagar Police Station Case No. 459 of 2024,
disclosing offences under Sections 352, 351(2), 308(2), 74, 3(5)
of the BNS, 2023 and Section 37 of the Bihar Prohibition and
Excise (Amendment) Act, 2022.
3. As per the prosecution case, on 09.08.2024, while
the informant was at his home, in the afternoon, one safari
vehicle bearing Reg. No. BR01DC-1010 stopped in front of the
house of the informant and two persons got down from the



vehicle. Both the persons started abusing and knocking the door of the informant and locked it from the outside and demanded Rs. 10 lacs as rangdari. Thereafter, the accused persons went to Chandra Vihar Colony at Road No. 12, at the house of Ravish Kumar Mani and abused his wife and threatened to her also. When the people started assembling, the accused persons started fleeing away from their vehicle which was chased and was intercepted near Magistrate Colony. The driver and two other persons sitting in the vehicle started fleeing away, however, the driver and the petitioner managed to flee away. The other person Akash Kumar alias Sonu was apprehended who disclosed the names of the petitioner/Munna Kumar and his driver. Two mobile phones were recovered from the vehicle. The apprehended Akash Kumar fell down and sustained injury and was beaten by the crowd also and on breathe analyzer machine, he was found in drunken condition.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and has been made accused on the disclosure of his name by the arrested co-accused who was in drunken condition. The vehicle which was being used by the arrested co-accused/Akash Kumar alias Sonu belongs to the brother of the petitioner which was



borrowed by Akash Kumar for some urgent work and the petitioner was not aware about the intention of Akash Kumar. The vehicle was released in favour of the brother of the petitioner by learned Excise Court, Patna. Petitioner is having no criminal antecedent of similar nature of offence, however, one case was lodged under Sections 420 and 406 and other Sections which the petitioner is on bail.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that name of the petitioner has transpired on the basis of disclosure made by the arrested co-accused who was in drunken condition and further, the petitioner is having no criminal antecedent of similar nature of offence, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Special Judge Excise-1, Patna, in connection with Rajeev Nagar Police Station Case No. 459 of 2024, subject to the condition laid down under Section 438 (2)



of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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