

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5210 of 2026

Arising Out of PS. Case No.-1110 Year-2024 Thana- GAYA MUFASIL District- Gaya

Md. Gauhar @ Md. Gohear Son of Md. Pheko R/o Village - Nauranga, P.S. -
Moffasil, Dist. - Gaya ji.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Gaya Muffasil P.S. Case No. 1110 of 2024 instituted for the offence under Sections 190, 191(2), 191(3), 126(2), 115(2), 121, 132, 109, 352 & 324(4) of the B.N.S., 2023 and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The case of the prosecution is that two group of persons were pelting stone on each other on a trivial issue. When police reached there and started disbursing the public, the public started pelting stones and boulders on police. After that the police chased the public and apprehended altogether 18



persons and they were named in the FIR.

4. Learned counsel for the petitioner has submitted that the nature of allegation is general and omnibus. No specific overt act is alleged against the petitioner and minor injuries incurred in the occurrence. From perusal of the FIR it transpires that from a scooty altogether 375 ml. of country made foreign liquor was recovered. It has been argued by the learned counsel for the petitioner that the scooty does not belong to this petitioner. It is further submitted that similarly situated co-accused persons have been extended the privilege of bail vide order dated 18.07.2025 passed in Cr. Misc. No. 43963 of 2025. The petitioner is having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer for bail to the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Gaya Muffasil P.S. Case No. 1110 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) of them with two sureties of the



like amount each to the satisfaction of learned Exclusive Special
Excise Court No.1, Gaya Ji/concerned court, subject to the
conditions as laid down under Section 482(2) of the BNSS.

(Ashok Kumar Pandey, J)

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