

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56842 of 2025

Arising Out of PS. Case No.-235 Year-2025 Thana- MASAUDHI District- Patna

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1. Rakesh Kumar S/o Dilip Kumar R/o Village- Kashmirganj, PS- Masaurhi, Distt.- Patna
 2. Satrudhan Kumar @ Satrudhan Ravidas S/o Late Bachan Ravidas R/o Village- Kashmirganj, PS- Masaurhi, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 20-04-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 298, 303(2), 117(2), 351, 352 and 3(5) of the BNS as well as Section 37 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against any of the petitioners but informant alleges that he suffered injury on his left arm and fracture in his finger on account of assault by the accused persons by iron rod.

4. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that from



perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that the accused persons including the petitioners entered a temple in an intoxicated condition and when they were prohibited from entering the temple, they created ruckus and assaulted the informant and even assaulted priest (*Sadhu*) who were present in the temple which amply demonstrates their conduct. Learned A.P.P. fairly submits that though allegation of assault is not specific but then allegation is that they entered the premises of a temple in an intoxicated condition and thereafter assaulted the informant and other persons present in the temple.

5. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners in connection with Masaurhi P.S. Case No. 235 of 2025 pending in the Court of learned Special Judge, Excise, Patna/Successor Court.

6. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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