IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73344 of 2026

CNR No. BRHC011019512026

Arising Out of PS. Case No.-457 Year-2026 Thana- SUPAUL District- Supaul

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1. Anant Kumar Bharti @ Vijay Paswan son of Ram Charan Paswan Resdent of Maheshpur, ward no 02, ps- Supaul, Dist- Supaul
2. Chandrahas Kumar Son of Dayaram Paswan Resident of village- Lohani, Po- Tarwara, Ps- Darbhanga, Dist- Darbhanga

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ranjay Kumar Singh, Adv.
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 28-10-2026 Heard learned Advocate for the petitioners and learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Supaul P.S. Case No.457 of 2026 registered for the offences punishable under Sections 126(2), 352, 351(2), 189(2), 191(2), 121(2), 132, 221 and 263 of the BNS, 2023 and Sections 37 and 45 of the Bihar Prohibition and Excise Act.

3. Allegedly, on the given date and time of occurrence, when the police apprehended co-accused Aryan Kumar @ Golu in an intoxicated condition and were taking him to the nearby police station, the petitioners, along with others, surrounded the police personnel, abused and assaulted them, and

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facilitated the escape of the said co-accused from police custody.

4. Learned Advocate for the petitioners submitted that omnibus allegation has been levelled against nine named accused persons, including the petitioners without assigning any specific role played by them. Co-accused Aryan Kumar, who is alleged to have been apprehended by the police but subsequently escaped from their custody with the assistance of the other co-accused persons, has been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 23.09.2026 passed in Criminal Miscellaneous No. 68967 of 2026. It is further contended that in the said incident none of the police personnel has sustained any injury, and save and except the allegation of causing obstruction in discharge of police duty, there is nothing on record suggesting active overt act of the petitioner. It is further argued that the petitioners are carrying fair antecedents. However, by filing a supplementary affidavit, it has been clarified that petitioner no.1 was made accused in connection with one criminal case; however, in the said case he has been acquitted by the learned Trial Court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the

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petitioners obstructed the police personnel in the discharge of their official duties and facilitated the escape of the co-accused from police custody.

6. Considering the rival submissions advanced by learned Advocates for the respective parties and taking note of the omnibus nature of allegation, besides the fair antecedent of the petitioners, and also the fact that one co-accused has been extended the privilege of anticipatory bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court-I, Supaul in connection with Supaul P.S. Case No.457 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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