

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90419 of 2025

Arising Out of PS. Case No.-728 Year-2025 Thana- AMARPUR District- Banka

1. Raju Tudu Son of Bharat Tudu Resident of Mahadev Asthan, P.S. - Aamarpur, Dist. - Banka.
2. Birendra Murmu Son of Muchru Murmu Resident of Mahadev Asthan, P.S. - Aamarpur, Dist. - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek bail in connection with
Amarpur P.S. Case No. 728 of 2025 registered for the offences
punishable under Sections 191(2), 193(3), 190, 126(2), 115(2),
109(1), 132, 121(1), 121(2), 352 and 352(2) of B.N.S.

3. As per prosecution-case, on secret information
regarding illegal manufacturing and transportation of liquor,
informant and other proceeded towards the place of occurrence.
Two persons on a motorcycle were intercepted for checking, but
they refused and started abusing and pushing the police party.
Thereafter, 25 to 30 persons armed with sticks, Iron rods and



lethal weapons, including 11 named and 15 unknown persons, came and attacked the police team.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence as alleged in the F.I.R. Petitioners are not even named in the F.I.R. Their names have been dragged in this case on the basis of statement of local Chowkidar who is on inimical terms with petitioner No.1 and father-in-law of petitioner No.2. It is orally submitted that charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence. Apart from that, petitioners are having no criminal antecedent and petitioners are in custody since 12.10.2025. Hence, they deserve bail.

5. Learned A.P.P. vehemently opposes the prayer of bail and submitted that there are three injured persons from the informant side. Two injuries are simple and one is grievous in nature. Hence, petitioners do not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, petitioners are not even named in the F.I.R., clean antecedent of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be



released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 728 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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