

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56663 of 2015

Arising Out of PS.Case No. -216 Year- 2015 Thana -BASANTPUR District- SIWAN

Vijay Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Parmanand Prasad (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 284, 328, 272, 273, 308 and 302 of the Indian Penal Code and Section 47(a) of the Excise Act.

The prosecution case is that the son of the informant Birendra Yadav went to consume liquor on 09.10.2015 at 7.30 PM to co-accused Bhrigu Ram but next day in the morning he started vomiting and conveyed to the informant that he consume liquor at the place of Bhrigu Ram, subsequently the son of the informant died during treatment. Though, the petitioner was not named in the FIR but his name sprang up on the confession of co-accused as the petitioner was one of the persons who used to supply liquor to Bhrigu Ram.

It is submitted by learned counsel for the petitioner that neither the informant nor the victim named the petitioner. Moreover, admittedly, the victim consumed liquor at the place of Bhriugu Ram and the victim has not claimed the presence of the petitioner at the time of consuming liquor and except confession, there is nothing on record to suggest the complicity of the petitioner. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Siwan in connection with Basantpur P.S. Case No. 216 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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