

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50665 of 2016

Arising Out of PS.Case No. -626 Year- 2016 Thana -KATIHAR District- KATIHAR

Karan Singh @ Karan Krishna Singh, son of Sri Samar Singh, Resident of Mohalla- Barmasia, Brahmchari Road, Police Station- Sahayak, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Advocate
and Mr. Rajendra Prasad Sah, Advocate.

For the Opposite Party : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2016 Heard learned senior counsel for the petitioner and
learned counsel for the State.

The petitioner is apprehending his arrest in connection with Katihar Town (Sahayak) P.S. Case No. 626 of 2016 for the offences instituted under Sections 353/34 of the IPC, 53(C)/54 of the Bihar Excise (Amendment) Act, 2016 and 11 of the Bihar Bengal Gambling Act.

The prosecution story, in brief, is that on secret information, the informant alongwith other police personnels raided the place of occurrence on 26.09.2016 and caught the



petitioner and others and thereafter raiding party seized the recovered articles and prepared seizure list in presence of the local witnesses.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioner. As per the FIR., in the rented house of the father of the petitioner, the alleged offence was being committed. The petitioner was not apprehended on the spot. He has got no concern with the alleged offence. He has been made accused on disclosure made by the co-accused. Except for this, there is no substantive evidence to suggest his implication in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Katihar Town (Sahayak) P.S. Case No. 626/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

