

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41526 of 2016

Arising Out of PS.Case No. -425 Year- 2016 Thana -KATIHAR District- KATIHAR

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Mohan Kumar (Constable No.33 at Police Line Katihar), Son of Shankar Sah, Resident of Tikulia Ward No.13, P.S.- Chanpatiy, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Veena Rani Prasad,APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Katihar (Town) P.S. Case No.425 of 2016 for allegedly having committed the offence under Sections 384 and 388/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the raiding team raided the house of the informant and recovered some bottles of wine and subsequently demanded bribe from the informant, there is no material on the record to show that the petitioner was a part of the raiding team. There is no specific allegation against the present petitioner that he had demanded bribe.The so-called Excise official, who was part

of the raiding team, has since been extended the privilege of anticipatory bail in Cr.Misc. No.36736 of 2016, vide order dated 30.09.2016.

Considering such facts and circumstances and that the petitioner is a Police Constable and is not having any criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, in connection with Katihar (Town) P.S. Case No.425 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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