

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38323 of 2016

Arising Out of PS.Case No. -213 Year- 2016 Thana -DALSINGHSARAI District- SAMASTIPUR

1. Varun Kumar son of Late Arjun Mahto, resident of Village- Gatho,
Police Station- Gatho, District- Samastipur. Petitioner

Versus

1. The State of Bihar. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 30-09-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Dalsingsarai
P.S. Case No. 213 of 2016 registered for the offences punishable
under Sections 272, 273 of the Indian Penal Code and Sections 47
(a), 53 (a) (b) and 57 of Bihar Excise (Amendment) Act, 2016.

Allegedly, the petitioner and other accused persons
attacked on the police party when they have arrested some of the
persons who were taking drink and accordingly, the petitioner has
also been made accused in this case also and in another case under
Section 307 IPC.

Submission is of false implication and that in case lodged
under Section 307 IPC the petitioner has been allowed bail
whereas in this case he is suffering in custody without any
recovery.

Learned APP fairly submits that nothing has been recovered from conscious possession of the petitioner.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Samastipur in connection with Dalsingsarai P.S. Case No. 213 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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