

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.18172 of 2018**

Arising Out of PS.Case No. -167 Year- 2017 Thana -TELHARA District- NALANDA  
(BIHARSHARIFF)

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Mantu Kumar, S/o Baiju Prasad @ Baiju, resident of Village Jaitipur  
Telhara, P.S. Telhara, District - Nalanda.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Hansraj, Advocate.

For the Opposite Party : Mr. Ramchandra Sahani, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      02-04-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 353, 307/34 of the IPC and  
37(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the petitioner  
and others were found in drunken state.

It has been submitted by learned counsel for the  
petitioner that the petitioner has falsely been implicated in the  
present case. There is no allegation of tampering with the  
witnesses alleged against the petitioner. It is alleged that it is a  
case where the petitioner was found in drunken state. The name of



the petitioner has come on the basis of disclosure made by co-accused Priya Ranjan Kumar @ Raju Kumar. There is no recovery of any liquor or any intoxicant from possession of the petitioner. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. The petitioner had no knowledge regarding the alleged incident.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned VI Additional District and Sessions Judge-cum-Special Judge (Excise), Nalanda at Biharsharif, in connection with Telhara P.S. Case No. 167/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

