

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

**Criminal Miscellaneous No.28219 of 2018**

Arising Out of PS.Case No. -235 Year- 2017 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Arvind Yadav, Son of Nakchhedi Yadav, Resident of Village- Bagha  
(Anandpur) Police Station- Begusarai (Town Lohiya Nagar), District-  
Begusarai.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Arbind Kumar, Advocate.

For the Opposite Party : Mr. Manoj Kumar, A.P.P.

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

ORAL ORDER

2      07-05-2018      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 147, 148, 341, 323, 324,  
353, 379/511, 307 of the IPC and 37(c) of the Bihar Prohibition  
and Excise Act, 2016.

The prosecution story, in brief, is that the petitioner  
and others alleged to have protested against the police when the  
co-accused Tingal Yadav, in drunken state, had dashed his  
motorcycle in the police vehicle.

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent. There  
is no allegation of tampering with the witnesses alleged against the  
petitioner. The name of the petitioner has come in the present case



as the petitioner and others alleged to have protested against the police when the co-accused Tingal Yadav in drunken state had dashed his motorcycle in the police vehicle. Except allegation of protest against the petitioner, there is no accusation made against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 Special Judge, Excise Act, Begusarai, in connection with Town (Lohiyanagar O.P.) P.S. Case No. 235 of 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)**