

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32706 of 2018**

Arising Out of PS. Case No.-44 Year-2018 Thana- KHAIRA District- Jamui

Narayan Singh, Son of Dewaki Singh, resident of Village + P.O.- Khandaich,  
P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukul Jee

For the Opposite Party/s : Sri Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2     13-06-2018                      Heard Sri Mukul Jee, learned counsel for the  
petitioner and Sri Upendra Kumar, learned Additional  
Public Prosecutor.

The sole petitioner, apprehending his arrest in  
connection with Khaira P.S. Case No. 44 of 2018,  
registered for offences under Sections 147, 341, 323, 337,  
338, 427, 379, 504, 506 of the Indian Penal Code, 1860  
( hereinafter referred to as the “I.P.C.”) and Section 37 (b)  
of the Bihar Prohibition and Excise Act , 2016 , has prayed  
for grant of bail in the event of his arrest or surrender .

It was submitted by learned counsel for the  
petitioner that save and except provision under Section  
379 of the I.P.C. all other Sections are bailable. So far



Section 37(b) of the Bihar Prohibition and Excise Act, 2016 is concerned, it has been argued that there is no element to attract this provision in the present case in view of the facts disclosed in the F.I.R. He submits that there is general and omnibus allegation against number of persons including the petitioner by the informant that accused persons had thrown stone on informant's side. It was exaggerated as if petitioner had taken away some material also. Learned counsel for the petitioner further submits that petitioner is having clean antecedent which fact has been stated in paragraph no. 3 of the petition.

Besides hearing learned counsel for the parties, I have also perused the materials available on record particularly the F.I.R. and after going through the same the Court is satisfied that it is a fit case for grant of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Narayan Singh be enlarged on bail on furnishing bail bond of Rs. 10,000/- ( rupees ten thousand ) with two sureties of the like amount each to the satisfaction of



learned 2<sup>nd</sup> Addl. Sessions Judge, Jamui / concerned court  
in connection with Khaira P.S. Case No. 44 of 2018  
subject to the conditions as contemplated under Section 438  
(2) of the Code of Criminal Procedure, 1973.

**(Rakesh Kumar, J)**

praful/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

