

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20451 of 2018

Arising Out of PS. Case No.-8 Year-2017 Thana- LAKHISARAI District- Lakhisarai

Sadhu Ram S/o Late Sitabi Ram, R/o Village- Bikkam, P.S.- Lakhisarai,
District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar
For the Opposite Party/s : Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 353, 307, 332, 333, 504 of the Indian Penal Code, Section 27 of the Arms and Sections 30(a)(c) (D), 41(a) and 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the accused persons were involved in manufacturing of illegal country made liquor and when the police raided their unit, they have also assaulted the police with arms.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired merely on the basis of suspicion. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. The case has been instituted for an offence in other allied sections of Indian Penal Code also. No specific allegation has been made against the petitioner. No one is said to have been injured in course of occurrence. There is no recovery of liquor or any intoxicant from the conscious possession of the petitioner. The petitioner has been made accused due to mistake of fact.

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/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 learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 8/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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