

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61951 of 2018

Arising Out of PS. Case No.-166 Year-2018 Thana- DELHA District- Gaya

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Raja Kumar S/o Ramesh Yadav, resident of village Chhotaki Delha
Gushalkhana Road, Bandabigha, P.S. Delha, District Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 380, 385, 504, 506, 452/34 of the I.P.C. and Section 37(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the petitioner was found in drunken state.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The informant is a private person. The present case has been instituted with a malafide intention. The petitioner is said to have been found in drunken state. Except for this, there



is no other substantive evidence to suggest the implication of the petitioner in this case. There is no recovery of liquor 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.

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 Special Excise Judge, Gaya in connection with Delha P.S. case No.166 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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