

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61297 of 2018

Arising Out of PS.Case No. -199 Year- 2017 Thana -GOPALPUR District- PATNA

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Suresh Rai, Son of Late Baijnath Rai, Resident of Village-Bairiya, P.S.
GopalPur, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjay Kumar Singh, Advocate.

For the Opposite Party : Mr. Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 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, 149, 150, 151,
152, 341, 342, 353, 504, 506, 337, 332, 333, 307, 308, 114, 115
and 120(B) of the IPC.

The prosecution story, as per the written report of
ASI Sunil Kumar dated 19.10.2017 submitted to SHO, Gopalpur
Police Station is to the effect that on 18.10.2017 at 5.00 P.M.
during patrolling on the eve of *Deepawali Festival*, on the
information being received that in village-Kabirmath people are
gambling, raid was laid, but the miscreants escaped from the scene
and one person was apprehended with liquor, who disclosed his



name as Sanjay Kumar who was found drunken state with Rupees Four Hundred Fifty cash and playing cards. It is further alleged that 9.10 P.M. the apprehended person accused was taken at 11.30 P.M. to the office of the Assistant Commissioner, Excise for conducting breath analyzer test upon him, when the family members of the miscreants blocked the road and raised slogans.

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 petitioner has falsely been implicated in the present case. None is said to have been injured in course of occurrence. Other co-accused have been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 37677 of 2018 order dated 02.07.2018 vide Annexure-3 to the present application.

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 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 A.C.J.M. Patna, in connection with Gopalpur P.S. Case No. 199 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)

