

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68424 of 2018

Arising Out of PS. Case No.-467 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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Raju Patel, son of Jagarnath Patel, resident of village Bankat, P.S.- Mufassil,
District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-11-2018 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, 149, 341, 323, 333, 224, 225, 353, 427 of the Indian Penal Code, 45 of the Bihar Prohibition and Excise Act, 2016 and ¾ of the Public Property Damage Act.

The prosecution case, in short, is that the accused persons caused disturbance while the police party was on official duty.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. For the same offence, two separate cases were instituted. In the present case, it is alleged that the petitioner interrupted the police party from discharging their duty while the police party was making



search and seizure in the joint house of the petitioner. The allegation is denied by the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. In the second case, a recovery is shown of 31.68 liters wine from the joint house of the petitioner. In the present case, no recovery of liquor has been shown from the house of the petitioner.

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 7th Additional Sessions Judge -cum- Special Judge, Excise, East Champaran at Motihari in connection with Mufassil P.S. Case No. 467/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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