

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71083 of 2018

Arising Out of PS. Case No.-154 Year-2018 Thana- KUMAR KHAND District- Madhepura

Pradeep Yadav S/o Late Gajendra Yadav, resident of village Laxminiya
Persahi Tola, P.S. Kumarkhand (Bhatni O.P.), District Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 379, 504, 506, 120B/34 of the I.p.C. as well as Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-B)a/26/35 of the Arms Act.

The prosecution case, in short, is that the accused persons including the petitioner assaulted the informant and took him near a canal and placed a defected three-nut along with empty cartridge with his waist and also hung a wine bottle to the bike.

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 due to political rivalry, which is evident from the F.I.R. itself. The informant has alleged that he was handed over to the police by the other co-



accused persons with liquor and a country made pistol. As per the allegation, this was done at the instance of the present petitioner, who was not present at the P.O. The F.I.R. indicates that all the incident had taken place due to local panchayat election. There is no recovery of liquor from the possession of the petitioner nor there is any recovery of arms from the possession of the petitioner.

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 2nd Addl. Sessions Judge-cum-Special Judge, Excise Act, Madhepura in connection with Kumarkhand (Bhatni O.P.) P.S. case No.154 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

