

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46244 of 2018

Arising Out of PS. Case No.-715 Year-2017 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Niraj Kumar Son of Tuntun Gupta Resident of Village- Majhauilya, P.O.
Khabra, P.S. Sadar, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-08-2018 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, 290 of the Indian Penal Code and Section 37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the accused person is in drunken state and fled away after seeing police.

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 as the motorcycle in question belongs to the petitioner. Except for



this, there is no other substantive evidence to suggest the implication of the petitioner in this case. The apprehended accuseds are alleged to be in drunken state. There is no recovery of liquor from the motorcycle in question. 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./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 2nd Additional Sessions Judge -cum- Special Judge, Excise, Muzaffarpur in connection with Nagar (Town) P.S. Case No. 715 of 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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