

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56760 of 2018

Arising Out of PS. Case No.-25 Year-2018 Thana- MIRGANJ District- Gopalganj

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Guddu Rai S/o Sugriv Rai, R/o Vill.- Chand Patti, P.S.- Mirganj, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 363, 365 of the Indian Penal Code in which Section 302 IPC was later on added.

The prosecution case, in short, is that the the cousin brother of the informant went along with the accused persons and consumer liquor and did not return.

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. The name of the petitioner has transpired in the present case merely on the basis of confessional statement of co-accused. Except for the confessional statement of the accused,



there is no other substantial evidence to suggest his implication in the present case. There is no eye witness to the alleged occurrence. The petitioner has been made accused due to mistake of fact.

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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XVI, Gopalganj in connection with Mirganj P.S. Case No. 25 of 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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