

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75398 of 2018

Arising Out of PS. Case No.-131 Year-2018 Thana- PHULPARAS District- Madhubani

=====

Pramod Yadav @ Pramod Kumar @ Pramod Kumar Yadav, S/o Late Saryug Yadav, Resident of Village-Siswa Barhi, P.S. Phulparas, District-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.
For the State : Sri Shyam Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections-147, 148, 149, 341, 323, 353, 307, 272, 273 of the IPC and Section-30(a)(d) of the Bihar Prohibition and Excise Act, 2016 as also Sections-25(1-b) A/26/35/27 of the Arms Act.

The prosecution case, in short, is that when the police party reached at the house of co-accused Sunil Yadav, the accused persons started firing on the police party.

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 been falsely implicated in the present case due to previous enmity. The alleged occurrence is said to have taken place in the house of co-accused Sunil Yadav. The petitioner



has been named in the present case at the instance of other co-accused. A broken butt of gun along with 3.060 litres wine is alleged to have been recovered from the house of Sunil Yadav. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Phulparas P.S. Case No. 131 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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

