

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43434 of 2018

Arising Out of PS. Case No.-58 Year-2018 Thana- BATHNAHA District- Sitamarhi

Sushil Das @ Shushil Das @ Susheel Das, Son of Late Nandu Das, Resident
of Village- Mahuawa, P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 290, 294, 504, 506, 414 of the Indian Penal Code, Section 27 of the Arms and Section 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the accused persons having arms in their hands were abusing the informant in drunken state.

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 on the basis of disclosure made by the co-accused namely Laxmi Sah.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. There is no recovery of liquor from the 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./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 Additional District & Sessions Judge -II-cum- Special Judge, Excise Act, Sitamarhi in connection with Bathnaha P.S. Case No. 58 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

