

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74052 of 2018

Arising Out of PS. Case No.-73 Year-2018 Thana- MATIHANI District- Begusarai

Md. Chand @ Mukhiya, Son of Md. Geyas, Resident of Village- Lalpur, P.S.-
Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Satyendra Prasad

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 341, 323, 448, 385, 504, 34 of the IPC and Section-37© of Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the co-accused came to the informant in drunken state and demanded rangdari from her.

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 petitioner has been falsely implicated in the present case due to previous enmity. The co-accused in a drunken state is alleged to have assaulted and abused the



informant. There is no recovery of liquor in the present case. 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.

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 Shri Anil Kumar Sinha, learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Matihani P.S. Case No. 73 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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