

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15600 of 2018

Arising Out of PS.Case No. -86 Year- 2017 Thana -BIRPUR District- SUPAUL

Sanjay Mukhiya, Son of Shri Ram Prasad Mukhiya, Resident of Ward No.2,
Balbhadrapur, P.S.- Birpur, District- Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Amrit Abhijat, Advocate.

For the Opposite Party : Mr. Ajay Kumar-1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 19-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 332, 333, 353,
307, 504, 506, 120(B) of the of the IPC and 37(C) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that when the
informant reached at the house of Mohan Sada where altercation
took place. He saw that Jagdish Sada who is an accused in another
case was there. Jagdish Sada slapped and stabbed the informant.
This petitioner also assaulted the informant with fists and slaps.
Co-accused Jagdish Sada in drunken state by taking knife in his
hand, abused the informant.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been suspected to be in a drunken state. Hence, he has been made accused in the present case. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. There is no recovery of any liquor in the present case. 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 or 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 the learned Additional Sessions Judge-I-cum-Special Judge (Excise), Supaul, in connection with Birpur P.S. Case No. 086/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)