

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41539 of 2018

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1. Kundal Ram @ Kundan Ram, S/o Bharat Ram, resident of Village -
Misir Bigha, P.S. - Deo, District - Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Atul Chandra

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 13-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 323, 325, 307, 353, 332
and 504 of the Indian Penal Code and Section 37(A)/37 (C)
of the Bihar Prohibition and Excise Act, 2016.

Petitioner is said to have created nuisance in
inebriated condition and on arrest by the police authority
(informant) assaulted him creating fracture injury on his leg.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place.
Petitioner has no concern with the



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aforesaid occurrence. He had not consumed liquor. He happens to be a teetotaler. The informant had not sustained injury at the hand of the petitioner rather his ankle was twisted in course of chasing the petitioner. Petitioner was not subjected to breath analyzing test. He has been falsely implicated in this case. Though one more case under the Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 12.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Deo P.S. Case No. 70 of 2018.

(Prakash Chandra Jaiswal, J)

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