

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25092 of 2018

Arising Out of PS.Case No. -62 Year- 2018 Thana -GOVINDPUR District- NAWADA

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Vimlesh Kumar S/o Gore Yadav @ Gorelal Yadav, R/o Vill.- Gandhi Nagar, P.S.- Town Nawaada, Distt.- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 26-04-2018 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks anticipatory bail in connection with Excise Case No. 373 of 2018 arising out of Govindpur P.S. Case No. 62 of 2018 for the offences punishable under Sections 341, 342, 323, 504, 34 of the Indian Penal Code and Section 37(b) of Bihar Prohibition and Excise Act, 2016.

The allegation is that while the informant was coming on motorcycle along with one other person, the accused persons had intercepted the motorcycle and started engaging in assault on the informant and his nephew causing injury to the informant and his nephew. The accused persons are said to have been in a drunken condition. It has been alleged that with the aid



of the villagers, some of the accused persons were arrested, however, the petitioner had fled away.

The learned counsel for the petitioner submits that there is general and omnibus allegation as against the petitioner herein and no proof whatsoever was found that the petitioner was in a drunken condition or had engaged in any specific overt act. It is submitted that the petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Nawada in connection with Excise Case No.373 of 2018 arising out of Govindpur P.S. Case No.62 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

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