

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13963 of 2019

Arising Out of PS. Case No.-398 Year-2018 Thana- ARA MUFFSIL District- Bhojpur

GARIMA YADAV @ GAMBHIRA YADAV @ GAMBHIRA RAI aged about 53 years, Gender – Male, Son of Late Teju Rai Resident of Village - Dhudhuan, P.S. Ara mufassil, distt.- Bhojpur Ara.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Ara Muffasil P.S. Case No. 398 of 2018 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that it is a case of false implication. The petitioner has no criminal antecedent. It is submitted that when the police party reached in the village, allegedly the petitioner started fleeing away with a white plastic bag on his head but the said story is not believable because in presence of the patrolling party, a person like the present petitioner cannot flee away on foot. It is submitted that from perusal of the seizure list it will appear that it has not been



prepared in presence of any independent witness rather it bears signature of two police personnel who were accompanying the informant patrolling party.

In the given facts and circumstances of the case considering the submission of the petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bhojpur at Ara, in connection with Ara Muffasil P.S. Case No. 398 of 2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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