

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14563 of 2019

Arising Out of PS. Case No.-292 Year-2018 Thana- BALIYA District- Begusarai

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Rabin Yadav @ Rajendra Yadav, Son of Rameshwar Yadav @ Rameshwar Prasad Yadav @ Faujdari Yadav, Resident of Village-Lakhminiya, Ward no.22, P.S.-Ballia, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Rajendra Singh Shastriji,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-03-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Ballia P.S. Case No. 292 of 2018 registered for the offences punishable under Sections 341, 323, 504, 353 and 307/34 of the Indian Penal Code and Section 37(a) and (c) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that as per the allegation under the provisions of the Excise Act is against the co-accused Arman Khalifa who has already been taken into custody. This petitioner has been dragged in this case only because he is a local residence. It is submitted that the allegation that this petitioner was among the 10-15 persons who had



surrounded the constable on duty and had torn his clothes is false inasmuch as the informant has not disclosed the source from where he could come to know about the name of the petitioner.

It is further submitted that neither the torn clothes have been seized nor any injury has been caused to the said constable.

Learned APP for the State is present and has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case where the submission of the petitioner is that there is no source of disclosure of name of the petitioner to the informant and no injury has been shown to have been caused to the constable, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II Begusarai cum Special Judge, Excise Act, Begusarai in connection with Ballia P.S. Case No. 292 of 2018, subject to the condition that petitioner shall join the 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
Cr.P.C.

(Rajeev Ranjan Prasad, J)

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