

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21425 of 2019

Arising Out of PS. Case No.-833 Year-2018 Thana- JAHANABAD District- Jehanabad

Viki Yadav Son of Raj Ballav Yadav @ Ram Ballabh Yadav Resident of
Village-Sukana Bigha, P.S-Jehanabad (Korauna O.P.), District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of
Jehanabad (Korauna O.P.) Police Station Case No. 833 of 2018,
disclosing offences punishable under Sections 147, 148, 341,
323, 504, 279, 337, 338, 427 and 353 of the Indian Penal Code.

Allegedly, a Maruti car had met with an accident,
which was being driven by co-accused, who was in inebriated
condition. The driver and others who were there in the car had
fled away. The Police are said to have recovered the car and
thereafter they were making attempt to take the car to Police
Station. Allegedly, other co-accused persons, including this
petitioner, restraining the Police from doing so and abused the
members of the police party.



Learned counsel for the petitioner is correct in his submission that no offence under Section 37 (b) (c) of the Bihar Prohibition and Excise, 2016, is made out.

Considering the nature of allegation made in the First Information Report, the petitioner deserves the privilege of anticipatory bail. This application is, accordingly, allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the Court below within six weeks, be released 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 ADJ-II, Jehanabad in connection with Jehanabad (Korauna O.P.) Police Station Case No. 833 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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