

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55425 of 2019**

Arising Out of PS. Case No.-77 Year-2019 Thana- FULKAHA District- Araria

SAMAT LAL YADAV S/o Sakhichand Yadav R/o village- Achra, P.S.-  
Phulkaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Amar Nath Yadav  
For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      19-11-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Section 147, 148, 149, 341, 323, 342, 324, 307, 211, 212, 224, 225, 332, 333, 379, 353, 435, 504, 506 of the Indian Penal Code, 3(i)(r) of the Prevention of Atrocities Act and 45 of Bihar Prohibition and Excise Act, 2016.

The prosecution case in short is that when the informant along with other police party were on duty in search of accused, the accused persons assaulted on him and and thereafter fled away. There is no recovery of liquory.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.6.2019 and has got no criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case due to village politics. There is no recovery of liquor in the present case. It is alleged that petitioner is said to have assaulted one of the constable but from the case diary, it appears that there is no injury in support of the allegations made in the F.I.R. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge -2nd-cum- Special Judge, Excise, Araria in connection with Phulkaha P.S. Case No. 77/2019, Special Case No. 677/2019.

**(Sudhir Singh, J)**

Pankaj/-

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