

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.60950 of 2019

Arising Out of PS. Case No.-635 Year-2019 Thana- DANAPUR District- Patna

SUNIL KUMAR YADAV, aged about 40 years, Male, Son of Sri Banshi Singh Yadav, Resident of Pethiya Bazar, Kali Sthan, P.S.-Danapur, District-Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Shubhankar Sharma, Adv.

For the Opposite Party : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Danapur P.S. Case No. 635 of 2019 (Special Case No. 7227 of 2019) for the offences alleged under Sections 341, 323, 308, 307, 353, 504 and 34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that the informant, being the Sub Inspector of Police of Danapur Police Station, proceeded for serving the notice under Section 41(I) of the Criminal Procedure Code in Danapur P.S. Case No. 449 of 2019 at Pethia Bazar Kali Asthan and reached at the house of accused, Manish, at that time, two persons came out from the house and started to abuse him and caught hold his collar and with intention to kill cause assault through fists and slaps, the informant fell down. The local people informed the Police Station, then, patrolling party came and on chase one person was apprehended, who disclosed his name as Sujeet Kumar Yadav, who disclosed the name of person, who fled away. He also disclosed the name of Sunil Kumar Yadav



(petitioner). On search of Dalan, three opened bottles of 375 ml of liquor recovered.

The submission of the learned counsel for the petitioner is that it would appear from the first information report that the petitioner was not present on the spot, rather the petitioner has been implicated in this case, being the brother of Sujeet Kumar Yadav, who is apprehended in this case. Further, submission is that the petitioner while the accused in three cases, detailed in paragraph 3 of the application, but, he is on bail in all cases.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Danapur P.S. Case No. 635 of 2019 (Special Case No. 7227 of 2019) shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

U		T	
---	--	---	--

