

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22555 of 2020

Arising Out of PS. Case No.-215 Year-2019 Thana- TURKAULIYA District- East
Champaran

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Devlal Das Son of Ram Ayodhya Das @ Ayodhya Das Resident of Village-
Dhobiya Tola Belghatti, P.S.-Turkauliya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 31-08-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Turkauliya
P.S. Case No. 215 of 2019 for the offence under sections 147,
148, 149, 341, 323, 307, 332, 333, 324, 225, 353 of the Indian
Penal Code and 45 of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that
allegation against this petitioner and others in the present case
is that when the police party proceeded to raid and investigate
Turkauliya P.S. Case No. 214 of 2019, the petitioner when
apprehended by the police the petitioner assaulted the police by
means of fist and bat and other accused persons attacked the
police party with lathi and danda and took away the petitioner
from the custody.



Learned counsel for the petitioner submits that even assuming for the argument sake that this petitioner has used fist and bat the offence under section 307 is not made out and the other offences are ornamental.

The petitioner is in custody since 2.3.2020.

Considering the facts situation and after hearing Mr. Ram Sewak Choudhary, the Court is inclined to grant bail to the petitioner, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge cum Special Judge, Excise, Motihari, East Champaran, in connection with Turkauliya P.S. Case No. 215 of 2019.

(Anil Kumar Upadhyay, J)

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