

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21762 of 2020

Arising Out of PS. Case No.-88 Year-2020 Thana- VIDYAPATINAGAR District-
Samastipur

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DILIP GARAI @ DILIP GARAEE Son of Late Kapileshwar Garai Resident
of Village- Sherpur, Ward No.12, Police Station- Vidyapati Nagar,
District- Samastipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr. Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-07-2020 Heard Mr. Bijay Bhushan Prasad, learned counsel

for the petitioner and Mr. Md. Aslam Ansari, learned APP for

the State.

The petitioner seeks bail in connection with

Vidyapati Nagar (Samastipur) P.S. Case No. 88 of 2020

dated 24.05.2020 instituted for the offences under Sections

307, 323, 324, 333, 341, 353 and 504/34 of the Indian

Penal Code and Section 30(a) of Bihar Prohibition and Excise

(Amendment) Act.

It appears from the First Information Report that

two persons were apprehended by two police constables on



suspicion of their carrying liquor. The aforesaid two persons are said to have called their associates including the petitioner and thereafter a scuffle took place. One of the constables received two injuries.

Learned counsel for the petitioner has submitted that in fact the police constables resorted to assault and only to save their skin, the present F.I.R. has been lodged. The petitioner was not found to be in possession of any liquor. Only one bottle of liquor was found in the possession of two persons, who were initially intercepted by the police. The petitioner is stated to be an old person, who has only been framed in this case as he came on the call of aforesaid two persons. The injuries on the constable are reported to be simple in nature. The petitioner is in custody since 26.05.2020.

Considering the nature of accusation against the petitioner and his period of custody, he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 02nd Additional Sessions



Judge-cum-Special Judge Excise, Samastipur, in connection
with Vidyapati Nagar (Samastipur) P.S. Case No. 88 of
2020.

(Ashutosh Kumar, J)

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