

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25327 of 2020**

Arising Out of PS. Case No.-117 Year-2019 Thana- MAHINDWARA District- Sitamarhi

SADDAM HUSSAIN Son of Mahfuj Alam Resident of Village- Samaul
Shahpur, P.S.- Mahindwara, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 05-11-2020 Heard learned counsel for the petitioner and learned APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the Stamp Reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of normal physical functioning of the Court, and in any event within one month thereof.

2. The petitioner apprehends his arrest for the offences alleged under Sections 188, 283, 285, 290, 291, 323, 353, 427 and 120B of the Indian Penal Code and Section 3 and 4 of the Prevention of Damage to Public Property Act and Section 37(a) (b)(c) of the Bihar Prohibition and Excise Act, 2018 registered in connection with Mahindwara P.S. Case No. 117 of 2019.

3. It is submitted that the petitioner has been falsely implicated and the FIR is against as many as 15 named persons. The accusations are general and omnibus in nature without any specific accusation attributed to the petitioner. The accusation under the Bihar Prohibition and Excise Act is against co-accused



Sushil Sahni who is said to have been in a drunken condition. Similarly situated co-accused Akhlesh Rai, Anil Rai and Sushil Rai have been granted anticipatory bail by this Court in Cr. Misc. No. 84860 of 2019. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J.II-cum-Special Judge, Excise Act, Sitamarhi in connection with Mahindwara P.S. Case No. 117 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court

(Vikash Jain, J)

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