

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12942 of 2020

Arising Out of PS. Case No.-199 Year-2019 Thana- AWTARNAGAR District- Saran

1. OM PRAKASH SINGH S/o Late Nagina Singh Resident of Village-Naraon, P.S.- Awtarnagar, Distt- Saran
2. Vikash Singh S/ Om Prakash Singh Resident of Etwarpur Shishaula, P.S.- Lalganj, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2021 Learned counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 1 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 1.

Heard learned counsel for the petitioner no. 2 and learned APP for the State.

The petitioner no. 2 is apprehending his arrest in a case registered under Section 341, 323, 379, 354, 504, 506, 34 of the Indian Penal Code, 3 and 4 of Prevention of Witch (Daain) Practices Act, 1955 and 37(C) of Bihar Prohibition and Excise



Act, 2016.

Prosecution allegation against the accused persons in drunken state came to the house of the informant and started to abuse the informant and assaulted son of the informant due to which he sustained injury.

It has been submitted on behalf of the petitioner no. 2 that the petitioner no. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 2. The petitioner no. 2 has falsely been implicated in the present case for oblique reason. There is previous dispute between the parties. No offence under the Excise Act is made out against the petitioner no. 2. From perusal of the F.I.R. itself, it appears that altogether eight persons are named in the F.I.R.

. On behalf of the State, it is submitted that the petitioner no. 2 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no. 2, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Saran at



Chapra in connection with Awtarnagar P.S. Case No. 199/2019,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

