

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33549 of 2022

Arising Out of PS. Case No.-148 Year-2021 Thana- BHAIKAVSHTHAN District-
Madhubani

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DINESH YADAV S/o Mukun Yadav Resident of Village- Olipur, P.S.-
Bhairab Asthan, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 353, 504 and 34 of the Indian Penal Code and Section 45 of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that they had gone to recover liquor on information but the accused person, including the petitioner, created obstruction in discharging of official duty.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated, he was not even present



at the place of occurrence, it is next submitted that it absolutely does not stand to reason that a person would obstruct the police from discharging duty and the police would not arrest him, this amply demonstrates that petitioner has been made and scapegoat in order to save the real culprits.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhairab Asthan P.S. Case No. 148 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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