

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63766 of 2022

Arising Out of PS. Case No.-107 Year-2022 Thana- PARAIYA District- Gaya

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Guddu Yadav @ Guddu Kumar Son of Krishna Yadav Resident of Village -
Bhat Bigha, P.S.- Paraiya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Atul Shankar

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 279, 304 of the Indian Penal Code and section 30(a)/41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, while informant's father was returning home after cultivation, suddenly, a motorcycle bearing Registration No. BR 26 U3635 dashed his father, as a result of which his father sustained injury on his head and when informant arrived there he found his father dead. Two persons namely, Guddu Yadav (petitioner) and Kapil Yadav were boarded on the said motorcycle. Both the accused persons fled away leaving the said motorcycle from which 2-3 litres of



country made liquor has been recovered.

It is submitted that informant is not eye-witness of the occurrence and only on suspicion, petitioner has been made accused in this case. Petitioner is neither driver nor owner of vehicle in question. Nothing has been recovered from conscious possession of this petitioner.

Considering the facts aforesaid and the fact that petitioner has been accused in this case only on suspicion, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge II, Gaya in connection with Paraiya P.S. Case No. 107 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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