

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18272 of 2023

Arising Out of PS. Case No.-637 Year-2022 Thana- DARIYAPUR District- Saran

=====

Ram Niwas Singh S/o Raghunath Singh Resident of village Darihara Nisak,
Police Station Dariyapur, District Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Najmul Hoda, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 225, 224, 353/34 of the Indian Penal Code and Section 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that on 26.11.2022 at 6.30 p.m. when the raiding party reached near Darihara Gramin Bank, two persons, who were in drunken state, came in front of the vehicle of the police. After stopping the vehicle, one person was apprehended by the police and another fled away. The apprehended person disclosed his name as petitioner. In the meantime, one person came and got the petitioner freed by using force.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent and there is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. There is no recovery of liquor in the present case. Scuffle is said to have taken place between the police party and the accused persons. None has sustained grievous injury. As per the prosecution, it is alleged that the accused were in drunken state. No breath analyser test has been conducted to ascertain whether the accused persons were in drunken state or not.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory 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 Court below/concerned Court in connection with Dariyapur P.S. case No.637/2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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

