

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18243 of 2023

Arising Out of PS. Case No.-67 Year-2022 Thana- ISUAPUR District- Saran

Suraj Nat @ Sunil Nat S/O Dudh Nath Nat R/O Village- Usarikala, P.S-
Isuapur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, 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 147, 148, 149, 341, 323, 324, 332, 333, 353 of the Indian Penal Code and Sections 30/30(a), 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 60 liters wine is recovered from the house of co-accused. The police went to the house of absconded accused Lal Babu Nut and apprehended him, but local people attacked upon the police party with various weapons and got Lal Babu Nat free from police party and co-accused Awadhesh Nat assaulted the informant on his head with iron rod, due to which blood was oozing out and he was sent to the Hospital for treatment.



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. It is alleged that 60 liters wine is recovered from the house of co-accused. Scuffle took place between the police party and the accused persons. The petitioner is said to be a member of unlawful assembly. General and omnibus allegation has been made. No recovery of wine from the possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C. Learned counsel for the petitioner has placed reliance upon the order dated 13-04-2022 passed by the Hon'ble Supreme Court in Cr. Appeal No. 626 of 2022 (Sweta Kumari versus State of Bihar).

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 Isuapur P.S. case No.67/2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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