

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35070 of 2023

Arising Out of PS. Case No.-268 Year-2015 Thana- CHAPRA TOWN District- Saran

SRI RAM SINGH, Son of Jogindra Singh, Resident of Village - Bhagwanpur,
P.S.- Derni, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-07-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Chapra Town P.S. Case No. 268 of 2015
registered for the offence punishable under Sections 224, 225,
353 of the Indian Penal Code.

3. Nine persons as per prosecution case were arrested
pursuant to a raid conducted upon liquor sellers. Three other
persons were apprehended from three different liquor shops.
One Lakhimi Paswan, who happens to be the Sub Inspector, has
thereafter received a call from the home guard informing him
that 20 to 25 persons have come with the intention for freeing
the above noted apprehended accused person. Some of the
arrested persons have allegedly fled away.



4. Learned counsel for the petitioner submits that 20-25 unknown persons have been implicated as per allegations. The petitioner's name has surfaced in the course of investigation on account of his implication in another case earlier whereas he has no concern with the instant case. The prosecution case does not talk about any identification of the accused persons and the petitioner has no concern with the allegations. There is a specific statement that though he was earlier arrested in connection with the exercise case No. 101 of 2015, he was not remanded in this case and recently he has come to know about pendency of the instant case.

5. Learned APP has opposed the prayer for pre-arrest bail.

6. Considering the rival submissions and the fact that petitioner is not a named accused, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released 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 Chief Judicial Magistrate, Saran at Chapra in connection with



Chapra Town P.S. Case No. 268 of 2015, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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