

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53077 of 2023

Arising Out of PS. Case No.-24 Year-2020 Thana- JAGDISHPUR District- Bhojpur

BAHADUR YADAV @ BIRBAHADUR SINGH S/o- LATE KAILASH
YADAV Village- Babhaniaon Ps- Jagdishpur Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 354 and other allied Sections of the Indian Penal Code and u/s 37(c) of Bihar Prohibition and Excise Act.

3. Allegedly, the petitioner and other co-accused persons, who were in drunken condition, assaulted the disabled son of the informant. When the informant and her family members went to save him, they were also assaulted by the accused persons.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. There is no specific overt act against the petitioner. There is no recovery of illicit liquor from the conscious possession of the petitioner. He further submits that the petitioner and informant are next door neighbour and agnates. Due to land dispute, the petitioner has been implicated in the present case. Petitioner has two criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Jagadishpur P.S. Case No.24 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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