

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86066 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- SINGHESHWAR District- Madhepura

KAUSHAL KUMAR, Son of Shrawan Yadav R/o Vill- Lalpatti, P.S. - Singeshwar, Distt. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Singeshwar P.S. Case No. 130 of 2023 dated 14.05.2023 for the offences punishable u/ss 147, 149, 341, 323, 353, 354, 354A, 379, 504, 506 and 427 of the Indian Penal Code and u/ss 45, 37 and 52 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, two persons were apprehended in drunken condition then they were examined by breath analyzer machine and found intoxicated. It is further alleged that they tried to sit, both persons denied to sit in the vehicle and even started fighting with excise department person. In the meantime, when the co-accused, Sahdev Yadav



came there and started abusing and threatening then in support of Sahdev Yadav, other FIR named accused persons and 30 to 35 unknown persons caused hindrance in discharging of official duties. It is further alleged that the accused persons damaged the vehicle of excise department and also damaged the mobile of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has surfaced in this case merely on suspicion. There is general and omnibus allegation against the petitioner. The specific allegation is against the co-accused, Sahdev Yadav and the petitioner has no concern with the co-accused persons and the alleged offence. The petitioner has no criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Madhepura in connection with Singeshwar P.S. Case No. 130 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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