

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39394 of 2015

Arising Out of PS.Case No. -141 Year- 2015 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

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1. Brijesh Mukhiya son of Bhutti Mukhiya,
 2. Ratan Yadav son of Narsingh Yadav,
 3. Santosh Mukhiya son of Bhola Mukhiya,
 4. Ramjee Mukhiya son of Bunni Mukhiya,
 5. Bhagrasan Mukhiya son of Bhikhu Mukhiya
 6. Shambhu Mukhiya son of Ramdhari Mukhiya,
 7. Sharma Mukhiya son of Ramdhari Mukhiya,
 8. Mukesh Mukhiya son of Gama Mukhiya,
 9. Manohar Mukhiya son of Chandrika Mukhiya,
 10. Kolai Mukhiya son of Bhagrathi Mukhiya,
 11. Vijay Sah son of Late Chandsi Sah,
 12. Yogendra Sah son of Late Firangi Sah,
 13. Shambhu Mukhiya son of Heera Mukhiya,
 14. Prabhu Mukhiya son of Heera Mukhiya,
 15. Meghu Mukhiya son of Heera Mukhiya, All residents of village-
Basantpur, P.S.- Sathi, District- West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma

For the Opposite Party : Mr. Aditya Nr. Singh1 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 272, 273 and 308/34 of the Indian Penal
Code and Section 47(a) of the Excise Act.

It is alleged by the informant that the informant
Awadhesh Kumar, SHO, Sathi in compliance of the direction of
SP under the guidance of SDPO Narkatiaganj he along with other



police officers and armed force reached at village-Basantpur for raid against the persons indulged in the illegal business of country made liquor. On seeing the police jeep several people of the village assembled and in presence of Rambabu Yadav and Rama Das Bhathi situated in bamboo clump was raided. On query local Choukidar disclosed the name of the petitioners who managed to flee away from the place of occurrence. On search processed country made liquor and utensils for manufacturing of such liquor were recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Petitioners have been made accused due to mistake of fact. It is further submitted that petitioners are ready to deposit an amount of Rs.3,000/- each in the court below which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, it is directed that the petitioners shall deposit an amount of Rs.3,000/- each in the court below which shall be subject to final disposal of the case and on doing so, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four

weeks, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Kumar Sudhanshu, Judicial Magistrate, Ist Class, Bettiah, West Champaran in connection with Sathi P.S.Case No.141 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sudhir Singh, J)

B.Kr./-

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