

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52834 of 2016

Arising Out of PS.Case No. -158 Year- 2016 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sikandra Sahani, S/o Birbahadur Sahani, Village- Kiathawalia, P.S. Sugauli, District- East Champaran, Motihari.
 2. Singasan Sahani, S/o Gyanti Sahani, Vill- Dumari, P.S. Sugauli, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Yogendra Kr. Singh(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

- 2 19-12-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioners are languishing in judicial custody since 27.07.2016 in connection with Sugauli P.S. Case No. 158/16 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and under Sections 47(A), 47(c), 47(e), 54 of the Bihar Excise (Amendment) Act.

The prosecution case, as lodged by the police, is that on secret information a raid was conducted on the river bank and 80 litres of country-made liquor and 200 litres of unprepared liquor was recovered. Petitioners were apprehended at the spot.

It has been submitted by the learned counsel for the



petitioners that they are innocent, have committed no offence and have no criminal history. It is submitted that nothing has been recovered from the conscious possession of the petitioner and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and submission of the parties, since charge-sheet has already been submitted, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Sugauli P.S. Case No. 158/16, subject to the condition that the petitioners will cooperate with the investigation and appear before the police/court as and when required by the court.

(Nilu Agrawal, J.)

Rajesh/-

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