

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11574 of 2016

Arising Out of PS.Case No. -182 Year- 2015 Thana -NAWINAGAR District- AURANGABAD

1. Munna Chouhan son of Gopal Chouhan resident of Village- Mahuari,
Police Station- Nabinagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.11607 of 2016

Arising Out of PS.Case No. -182 Year- 2015 Thana -NAWINAGAR District- AURANGABAD

1. Mohan Chouhan, son of Late Mirja Chouhan, resident of Village Shiv
Sagar Bigha, Police Station- Nabinagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.11574 of 2016)

For the Petitioner/s : Mr. Kamlendra Pd. Singh

For the Opposite Party/s Ms. Rita Verma (App)

(In Cr.Misc. No.11607 of 2016)

For the Petitioner/s : Mr. Kamlendra Pd. Singh

For the Opposite Party/s Ms. Rita Verma (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 15.03.2016 Both the above stated petitions arise out of Nabinagar P.S.
Case no. 182/2015 registered under sections 272, 273, 290 of the
Indian Penal Code as well as sections 47(A), 47(F) of the Excise Act
and accordingly, both the above stated petitions are being disposed of
by this common order.

Heard learned counsel for the petitioners as well as learned

Addl. Public Prosecutor for the State.

According to the prosecution case itself, alleged recovery has not been made from conscious possession of the petitioners rather it is stated that said recovery was made near Lisorah tree which was situated towards east from the house of petitioner in Cr. Misc. no. 11607/2016.

No doubt, petitioners are said to have fled away from the place of occurrence at the time of raid but taking note of the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind that petitioner in Cr. Misc. no. 11574/2016 is languishing in jail custody since 14.1.2016 and petitioner in Cr. Misc. no. 11607/2016 is languishing in jail custody since 23.1.2016 and except one case of petitioner in Cr. Misc. no. 11574/2016, petitioners do not have any criminal antecedent, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Aurangabad in Nabinagar P.S. Case no. 182/2015.

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(Hemant Kumar Srivastava,J)

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