

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24386 of 2016

Arising Out of PS.Case No. -142 Year- 2014 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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1. Lalbabu Prasad @ Lal Babu Chaudhary Son of Umesh Chaudhary null
2. Suresh Yadav Son of Karu Yadav Both are Resident of Village-
Mahanandpur, PS Deep Nagar, District Nalanda.

... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha

For the Opposite Party/s : Mr. Surendra Prasad Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 20-06-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Deep Nagar Police Station Case No. 142 of
2014, disclosing offences under Sections 279, 290, 272,
273/34 of the Indian Penal Code and Section 47 (a) of the
Excise Act.

A maruti car had met with an accident. From the
said car, 11 jerkins, filled with spirit, were seized by the
Police. The driver is said to have disclosed the names of the
petitioner as being involved in dealing with spirit.

Learned Counsel appearing on behalf of the
petitioners has submitted that the Police after completion of
investigation, submitted final report and concluded that

there were no materials against these petitioners for them being sent up for trial. Differing with the police report, the learned Magistrate has taken cognizance.

Considering the facts and circumstances, this application is allowed.

Let the petitioners, namely, Lalbabu Prasad @ Lal Babu Chaudhary and Suresh Yadav, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Nalanda, at Bihar Sharif, in connection with Deep Nagar Police Station Case No. 142 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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