

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29522 of 2016

Arising Out of PS.Case No. -132 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

- =====
1. Mahesh Kumar @ Mahesh Chaudhary S/o Chanarik Chaudhary @ Luchu Chaudhary
 2. Rita Devi W/o Chanarik Chaudhary @ Luchu Chadudhary both R/o of Village-Makhdumpur Pasi Tola, P.S.-Makhdumpur, District-Jehanabad.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-09-2016

Heard the counsel for the petitioners and the State.

The petitioner(s) herein seeks anticipatory bail in Makhdumpur P.S. Case No. 132 of 2016 registered under Sections 341, 323, 353, 427, 120(B)/34 of the Indian Penal Code and Section 61 of the Excise Act.

The officer-in-charge arrested few accuseds persons for selling illicit liquor. While he was returning, in the mean time, a group of person obstructed the police party and caused damage to the vehicle and got released the arrested accuseds persons from the custody of police. On making inquiry, it revealed that in the said group of person, the wife of Chanarik Chaudhary and son had also participated.

It is submitted that on the basis of information

subsequently collected by the informant, he has named accused. It is not the case that he identified the petitioners in the commission of crime of obstructing the police in due discharge of official duties. Petitioner no. 2 is a lady. There is a little chance of her participating in the crime. .

After having heard the parties, I am not persuaded to extend the privilege of anticipatory bail to the petitioner no. 1. His prayer is rejected.

Let the petitioner no. 2 (Rita Devi) in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad in Makhdumpur P.S. Case No. 132 of 2016, subject to the condition as laid down under Section 438(2), the code of Criminal Procedure with further condition that one of the bailors shall be her own/close family member. The petitioner shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel her bail bonds.

(Kishore Kumar Mandal, J)

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