

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40952 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -BITHAN BAZAR District- SAMASTIPUR

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1. Vijay Mahto Son of late Rajo Mahto
 2. Vijay Mukhiya wrongly mentioned as @ Vijay Mahto son of Raj Kumar Mukhiya
 3. Sonu Jaiswal @ Sonu Kumar Jaiswal son of late Ram Naresh Jaiswal.
- All are residents of village-Bithan, P.S.- Bithan, District-Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sri Akhileshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-09-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Bithan P.S. Case No. 59 of 2016, disclosing offences under Section 273 of the Indian Penal Code and 47(a)/54 of the Bihar Excise Amendment Act,1915.

It is alleged in the First Information Report that on the basis of secret information that the petitioners were engaged in illegal trade of liquor and for that purpose they had occupied a room in S.G.R.Y. Bhawan, Bithan, Samastipur. A raid was conducted leading to recovery of huge quantity of foreign made

liquor.

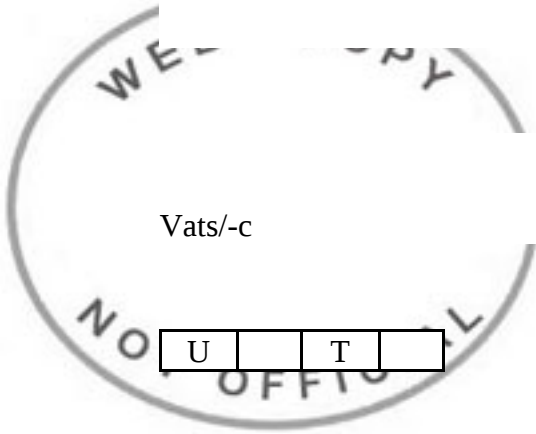
Short submission, which has been made by learned counsel appearing on behalf of the petitioners that their implication is based on undisclosed secret information said to have been received by the Police to the effect that they were engaged in the said illegal trade. It has been submitted that the petitioner have no criminal antecedent and that they have no connection with the place from where recoveries were made, in nay manner whatsoever.

Considering the submissions as above, this application is allowed.

Let the petitioners, above-named, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Bithan P.S. Case No. 59 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to

appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.



(Chakradhari Sharan Singh, J)