

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45024 of 2016

Arising Out of PS.Case No. -201 Year- 2016 Thana -SIRDALA District- NAWADA

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1. Manoj Chaudhary S/o Badho Chaudhary
2. Mohan Chaudhary S/o Badho Chaudhary Both resident of Village- Laund
Chamotha, Tola Ramnagar Hat, P.S.- Sirdala, District- Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with

Sirdala P.S. Case No. 201 of 2016 registered for the offences

punishable under Section 47(a) of Bihar Excise (Amendment) Act,

2016.

Petitioners are named in the first information report

but according to prosecution case itself, the alleged recovery was

made from an open land and not from the house of the petitioners.

Moreover, the written report of the informant goes to show that he

came to know about the name of petitioners from local Chowkidar

and villagers and except the aforesaid material, there appears to be



nothing against the petitioners, who do not have any criminal antecedent.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall 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 the Additional Chief Judicial Magistrate-V, Nawada in Sirdala P.S. Case No. 201 of 2016 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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