

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37800 of 2016

Arising Out of PS.Case No. -214 Year- 2016 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

- =====
1. Rajkishore Chaudhary @ Ram Kishore Chaudhary son of Ramashish Chaudhary
 2. Doma Chaudhary son of Latan Chaudhary
- Both resident of Durgapur , P.S. Giriak (Pawapuri) District Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prasad

For the Opposite Party/s : Mr. Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-09-2016 Heard Sri Uday Prasad, learned counsel for the

petitioners and Sri Anant Kumar, learned Additional Public

Prosecutor.

Two petitioners, apprehending their arrest in Giriak
P.S. Case No. 214 of 2016 registered for the offence under
Section 272, 273 of the Indian Penal Code and Section 47 (a) of
the Bihar Excise (Amendment) Act , 2016 have prayed for grant
of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners
that petitioners have falsely been implicated. He submits that
falsity is evident from perusal of the F.I.R. itself. In the F.I.R.
the informant who is a Police Official has stated that he had
received information that petitioners are indulged in preparing

country made liquor and thereafter a raid was conducted in the house of the petitioners and recovery was affected. He submits that had there been any reason for preparing country made liquor in the house there was no such reason for recovery of only one bottle, some other materials would also have been recovered.

Learned Additional Public Prosecutor has vehemently opposed the prayer for grant of anticipatory bail.

However considering the facts and circumstances the court is of the opinion that it is a fit case for extending the privilege of anticipatory bail. Accordingly in the event of arrest or surrender within a period of six weeks from today, let both the petitioners Rajkishore Chaudhary @ Ramkishore Chaudhary and Doma Chaudhary be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Shushil Kumar, Judicial Magistrate 1st Class, Bihar Sharif, Nalanda / concerned court in connection with Giriak P.S. Case No. 214 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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