

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57867 of 2015

Arising Out of PS.Case No. -282 Year- 2015 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jitendra Kumar
 2. Kundan Kumar both S/o Nandu Prasad Resident of Village- Ghorasaha,
P.s Ghorasahan, District East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Kumar Singh, Advocate.
For the Opposite Party : Mr. Dasrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Ghorasahan P.S. Case No. 282 of 2015 for the offences instituted under Sections 272, 273, 290 of the Indian Penal Code and Section 47(A) of the Excise Act.

As per the prosecution case, the informant Rajesh Kumar, SHO on the confidential information raided a hotel from where 50 bottles each containing 200 m.l. of country made wine, 20 bottles of beer each containing 650 m.l. were recovered from the possession of petitioners.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no substantive evidence to suggest the implication of the petitioners.

Petitioners have falsely been implicated in the present case. There is no compliance of Section 100 of the Cr.P.C. in respect to search and seizure. It is further submitted that the petitioners are ready to deposit an amount of Rs.25,000/- jointly in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners shall deposit an amount of Rs.25,000/- jointly in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Ghorasahan P.S. Case No. 282 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahana at Dhaka, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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