

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19227 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Harishchandra Bhagat @ Hari Chandra Bhagat sonof Kishori Bhagat
2. Shila Devi w/o Harishchandra Bhagat @ Hari Chandra Bhagat Both r/o
Majhauiliya Partapur Chow (Jai Bajrang Chowk), P.S. Mehsi District- East
Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 16-05-2016 Heard learned counsel for the petitioners and the learned
Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Mehsi (Jai Bajrang Chowk O.P.) P.S.Case No. 37/2016,
disclosing offences under sections 272, 273/34 of the Indian Penal
Code and section 47(a) of the Bihar Excise Act.

The petitioners are owners of a grocery shop. In course of
raid conducted by the police, few bottles of Indian wine were
recovered and seized.

Learned counsel for the petitioners has submitted that
implication of these petitioners is an artifact of the police
personnel, since the petitioners did not oblige them on the

occasion of Holi festival. He has further submitted that the petitioners have no criminal antecedent and there is no likelihood that they would be fleeing from the course of investigation or trial, if granted anticipatory bail.

Considering the above, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Mehsi (Jai Bajrang Chowk O.P.) P.S.Case No. 37/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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)

Surendra/-

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