

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7723 of 2016

Arising Out of PS.Case No. -251 Year- 2015 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Srikant Sahni Son of late Parmanand Sahni
2. Rajkumar Sahni Son of late Parmanand Sahni Resident of Village- Hira
Chapra, P.s Kalyanpur, district East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh

For the Opposite Party/s : Mr. Yogendra Kr.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 30-03-2016 Heard learned counsel, appearing on behalf of the

petitioners, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

 This application for grant of anticipatory bail arises out of

Kalyanpur P.S.Case No. 251/2015, disclosing offences under

sections 272, 273/34 of the Indian Penal Code and section 47A of

the Excise Act.

 The informant of the case is neither a Police Officer nor

an Officer of the Excise Department. He is a private person.

 It is alleged that the informant saw petitioner no.1 in

possession of country made wine and upon query made by the

informant, he replied that he was going to hand over the said wine

to one Rambabu Sah. When the informant raised hulla, petitioner

no.1 is said to have fled away, whereafter the informant handed over the country made wine and the motorcycle of petitioner no.1 to the police, leading to institution of the F.I.R.

Learned counsel for the petitioners submits that the petitioners have been maliciously implicated out of vengeance.

Considering the facts and circumstances of the case, 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, East Champaran, Motihari in Kalyanpur P.S. Case No. 251/2015 (G.R. Case No. 4625/2015), 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/-

U			
---	--	--	--

