

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49227 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -SHANKARPUR District- MADHEPURA

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1. Ashok Yadav S/o Late Chunni Yadav Resident of Village- Rahta P.S. Kumarkhand at present resident of Village- Parsa, P.S.- Shankarpur, District- Madhepura.
 2. Md. Alauddin S/o Md. Sabir Late Chunni Yadav
 3. Lallu Kumar @ Lalu S/o Basant Yadav Both are resident of Village- Barahkurwa, P.S.- Kumarkhand District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-12-2016 Heard the counsel for the petitioners.

None appears on behalf of the State.

The petitioners pray for bail in Shankarpur P.S. Case No. 46 of 2016 registered under sections 171(F) IPC and section 47(a) of the Bihar Excise (Amendment) Act, 2016.

On an information, the SHO lodged the case that there was a fight going on between the two groups. He, along with other police personnel, rushed to the place of occurrence and searched a vehicle occupied by the petitioner and driven by the co-accused Jeevan Kumar. From the said vehicle, 24 pouches of country-made liquor were allegedly recovered.



The contention of the petitioners is that they are in custody since 14.05.2016 and there is no criminal record of the petitioners of such involvement in any previous case. It was an election related dispute between the parties. Co accused Jeevan Kumar has been released on bail vide order dated 05.08.2016 (Annexure-2).

Considering the facts and circumstances of the case, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 10,000/- each, with two sureties of the like amount each, to the satisfaction of CJM, Madhepura in Shankarpur P.S. Case No. 46 of 2016 on condition that one of the bailors of each of the petitioners shall be their own/close family members. In the event of framing of charge, the petitioners shall remain in attendance in person on each date fixed at the trial. In case of default in doing so on two dates in a row, the trial court shall have liberty to cancel their bail bonds and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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