

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26578 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Mohan Lal Kumar @ Mohan Sah son of Indrashan Sah
2. Lal Babu Prasad @ Lal Babu Sah son of Tulsi Sah
Both are resident of village Jhakhara Bazar, P.S. Nautan Jagdishpur District
West Chamapran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-07-2016 Heard Sri Binay Kumar, learned counsel for the

petitioner and Sri Bhanu Pratap Singh, learned A.P.P.

Two petitioners, apprehending their arrest in connection
with Nautan (Jagdishpur) P.S. Case No. 64 of 2016 registered
for the offence under section 467, 468, 471, 420, 414, 307, 272,
273 , 120(B) of the Indian Penal Code and Section 47(A) of the
Excise Act have prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioners
that from perusal of the F.I.R. itself it is evident that on secret
information search was conducted in the orchard of Sri Jay
Prakash Kumar @ Bholu Sah and huge quantity of country
made liquor was recovered. He submits that there is no indication
as to how petitioners were involved. Only on the ground of

source information petitioners have been made accused in the present case. He submits that it is very difficult to apprehend as to under what circumstances besides offences under the Excise Act other sections of the Indian Penal Code have been added in the F.I.R.

Learned A.P.P. have opposed the prayer for bail. However, keeping in view the fact that petitioners name has come only on source information, there is no reason to deny the prayer for grant of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let both the petitioners namely Mohan Lal Kumar @ Mohan Sah and Lal Babu Prasad @ Lal Babu Sah be enlarged on bail on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sri R.R. Sahay, Sub Judge III, West Champaran at Bettiah in connection with Nautan (Jagdishpur) P.S. Case No. 64 of 2016 subject to conditions as contemplated under section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

Praful/-

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