

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53348 of 2017

Arising Out of PS.Case No. -421 Year- 2017 Thana -MUZAFFARPUR SADAR District- MUZAFFARPUR

1. Chandan Kumar s/o Shambhu Ray, R/o Village- Nawadah, P.S.- Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.52848 of 2017

Arising Out of PS.Case No. -421 Year- 2017 Thana -MUZAFFARPUR SADAR District- MUZAFFARPUR

1. Nilmani Kumar @ Sumkan @ Suman son of Nagendra Prasad Singh Resident of Village Sikandarpur Dobhi Ghat, P.S. Nagar, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.53348 of 2017)

For the Petitioner/s : Mr. Ajay Thakur

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

(In Cr.Misc. No.52848 of 2017)

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 14-12-2017 Both applications for bail are related to Muzaffarpur Sadar P.S. Case No.421 of 2017. Therefore, both bail petitions are heard together and disposed of by this common order.

Heard learned counsel for the petitioners and the learned



A.P.P. for the State.

The petitioners seek regular bail in connection with Muzaffarpur Sadar P.S. Case No.421 of 2017 registered under Sections 143, 144, 158, 290,414, 272, 273 of I.P.C., Sections 25(1-b)a, 25-1A, 25-1AA, 25-AAA, 26, 28 (ii), 35 and 27 of the Arms Act and Section 30(a) of Bihar Prohibition and Excise Act.

Accusation is that on receiving secret information about consuming liquor by unsocial elements in the birth day party in the house of Surendra Rai in Mohalla Yadav Nagathe, the informant on the direction of the S.S.P., Muzaffarpur, reached at the residence of Surendra Rai where programme of Orchestra was going on. On seeing the police party some persons started to flee away but 21 persons including the petitioners Chandan Kumar son of Shambhu Ray (Cr.Misc.No.53348/17) and Nilmani Kumar @ Suman @ Suman son of Nagendra Prasad Singh (Cr.Misc.No.52848/17) were apprehended. On search both the petitioners were found in possession of loaded with three live cartridges recovered. Besides 90 bottles each containing 190 ml. of foreign liquors were recovered and out of 21 accused persons 13 persons were found in drunken state. Some vehicles were also seized.

Learned counsel for the petitioners submits that both the



petitioners are in custody since 24.8.2017. The police after investigation submitted charge sheet against the petitioners.

Having considered the facts and the circumstances of the case and period of incarceration of the petitioners, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Muzaffarpur, in connection with Muzasubjec ffarpur Sadar P.S.Case No.421 of 2017 with conditions that one surety must be parents of the petitioners.

(Rajendra Kumar Mishra, J)

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