

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29535 of 2017

Arising Out of PS.Case No. -198 Year- 2017 Thana -KADAMKUAN District- PATNA

- =====
1. Vikki Kumar, Son of Late Vijay Prasad, R/o Village- Rai Hasanpur Chay Tola, P.S.- Kadamkuan, District- Patna.
 2. Ashish Kumar, Son of Late Binod Prasad, R/o Village- Saidpur Naharpar, P.S.- Kadam Kuan, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

- 2 14-07-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Kadamkuan P.S. Case No. 198 of 2017 for the offences punishable under Sections 447, 341, 323, 379, 386, 504 and 34 of the I.P.C. and Section 37 of Bihar Prohibition and Excise Act.

Allegation against the petitioners is that they had gone to purchase shoes and for payment of the cost of the shoes an altercation took place. Thereafter, more miscreants came after taking liquor and assaulted the informant and snatched his money.

Submission of the learned counsel for the petitioners is



that the petitioners belong to respectable families and have been falsely been implicated in this case. He further submits that the bar under Section 76(2) under the Bihar Prohibition and Excise Act is not attracted as the petitioners were not apprehended on the spot, nor any evidence came that they were inebriated.

Let, the petitioners, above named, in the event of their arrest or surrender the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below/ Successor Court in connection with Kadamkuan P.S. Case No. 198 of 2017 subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure. With further condition that petitioners shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioners in this case.

(Birendra Kumar, J)

khushbu/-

U		T	
---	--	---	--

