

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55112 of 2016

Arising Out of PS.Case No. -214 Year- 2016 Thana -ARA MUFFSIL District- BHOJPUR

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1. Kanhai Yadav @ Kanhaiya Yadav Son of Late Chanda Yadav
2. Sunil Yadav Son of Kanhai Yadav @ Kanhaiya Yadav Both residents of
Village - Bara Basantpur, P.S. - Ara Muffasil, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-01-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 47/57 of
Bihar Excise Amendment (Revised) Act, 2016.

It has been submitted on behalf of the petitioners that
whole family members of the petitioners have been made accused
in this case but the recovery has not been made either from the
house of the petitioners or from the possession of the petitioners.
The recovery has been made from the orchard but the petitioners
has no orchard. It has also been submitted that Petitioner no. 1 is
aged about 65 years.

Heard learned Additional Public Prosecutor also.



Having heard both sides, in view of the aforesaid facts and that fact that there is no recovery from the possession of the petitioners or from the house of the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Ara Muffasil P.S. Case No. 214/2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with further condition that they will co-operate in the investigation of the case and will make available themselves before the police/court, as the case may be, as and when required, otherwise their bail bond will be cancelled. With the aforesaid observation this application is allowed.

(Vinod Kumar Sinha, J.)

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