

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51024 of 2017

Arising Out of PS.Case No. -172 Year- 2017 Thana -CHAND District- BHABHUA (KAIMUR)

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1. Rewati Raman Tiwary, Son of Late Kanta Tiwary,
2. Rajesh Dubey Son of Chhabbu Dubey,
3. Shashidhar Tiwary @ Vanshidhar Tiwari S/o Lakarah Tiwary, All R/o
Village- Amaon, P.S.- Chainpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Chand P.S. Case No. 172 of 2017 instituted for the offence under Sections-427, 120-B & other minor Sections of the Indian Penal Code and Sections-30(a)/41(1)/45 of Bihar Prohibition and Excise Act, 2016.

It is alleged in the written report that Kripa Shankar Tiwary was apprehended with foreign liquor. The villagers assembled and tried to get rescued Kripa Shankar Tewary but police anyhow continued to apprehend him. Kripa Shankar Tewary disclosed before the police about the name of these petitioners who were among the villagers in obstructing the police. As such, name of these petitioners was disclosed by co-accused Kripa Shankar Tewary.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Chand P.S. Case No. 172 of 2017 to the satisfaction of Additional District & Sessions Judge-IV, Kaimur at Bhabua subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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