

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.414 of 2017

Arising Out of PS.Case No. -321 Year- 2016 Thana -SAKRA District- MUZAFFARPUR

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1. Suraj Kumar S/o Ramlal Chaudhary
2. Ramlal Chaudhary S/o Sonelal Chaudhary
3. Mahendra Chaudhary S/o late Mahavir Chaudhary all resident of Village-
Sarmastpur, P.S. Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn
Mr. Chandrashekhar Anand

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-01-2017 The petitioners are in custody since 21.11.2016 in connection with Sakra P.S. Case No. 321 of 2016, registered for offences punishable under Sections 419, 420, 406 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though it is alleged that 12.3 litres of foreign made liquor has been recovered from the possession of the petitioner, but no seizure list was handed over to them and also there is no compliance of Section 100 of the Cr.P.C. It has further been submitted that the petitioners have clean antecedent and they are in judicial custody since 21.11.2016.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that there is no compliance of Section 100 of the Cr.P.C. in this case and petitioners have remained in custody for more than two months, as



such let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-cum-Sub Judge -13th, in connection with Sakra P.S. Case No. 321 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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