

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59975 of 2017

Arising Out of PS.Case No. -165 Year- 2017 Thana -SHEOHAR District- SHEOHAR

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1. Anil Kumar Singh @ Anil Singh, Son Late Ram Nath Singh, Resident of Village + Post- Bangrahttha, P.S- Singhyia, Distt.- Samastipur.
 2. Shiv Nandan Singh, Son of Vishwanath Singh, Resident of Village- Rera, P.O.- Jasra, P.S.- Ghurpur, Distt.- Allahabad, U.P.
 3. Akhilesh Kumar Son of Radhe Shyam Madhukar, Resident of Uncha Teela, Tarinpur, P.S.- Kotwali Sitapur, Uttar Pradesh.
 4. Vijyanand Kumar @ Vijayanand Singh, Son of Shri Ram Prasad, resident of Banshipur Tola, P.O.- Milki Ishwarpur, P.S.- Karnamepur, Distt.- Bhojpur.
 5. Arvind Kumar, Son of Shri Ram Prasad, Resident of Gopal Nagar, P.O.- Rajauli, P.S.- Rajauli, Distt.- Nawada, All Presently posted as Teacher in Navodaya Vidyalaya, Sheohar.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjai Kumar Singh

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

- 2 13-12-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in a case instituted under Sections 341, 342, 323, 325, 352, 427, 308, 506/34 of the Indian Penal Code and 37(a) of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that three teachers were taking liquor in the school premises.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners are not among three, who were said to drink wine. The petitioners are teachers of a reputed school. Case and counter case were instituted between the parties. The petitioners had tried to pacify the matter between the parties. Hence they were made accused in this case. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of section 100 Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Sheohar P.S. Case No. 165/2017 on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-Ist, Sheohar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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