

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55518 of 2017

Arising Out of PS.Case No. -152 Year- 2016 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

- =====
- 1. Manoj Kumar.
 - 2. Santosh Kumar. Both Sons of Bhairo Prasad resident of Village -
Hiramani, Police Station - Chhauradano, District - East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shakti Suman Kumar, Advocate.
For the Opposite Party : Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 323, 353, 504,
506/34 of the IPC and 45 of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that the informant
received information that the petitioners are selling wine. The
informant went there to recover the wine but accused abused,
assaulted and asked the informant to return back from the place of
occurrence.

It has been submitted by learned counsel for the



petitioners that the petitioner no. 2 has no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. No contraband is recovered from the conscious possession of the petitioners. The name of the petitioners has come on the basis of suspicion only. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Raxaul at Motihari, in connection with Chhauradano P.S. Case No. 152 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

