

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54752 of 2017

Arising Out of PS.Case No. -568 Year- 2017 Thana -KHAZANIHAT District- PURNIA

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1. Chhoutu Kumar @ Amrit Raj @ Chhotu Kumar son of Naresh Yadav
2. Rakesh Kumar son of Chandra Kishore Yadav Both resident of Village-
Khutahari, P.S. Banmankhi, District- Purnea.

.... Petitioners/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-11-2017 The petitioners seek regular bail in connection with K.

Hat P.S. Case No. 568 of 2017, registered for offences punishable
under Sections 272, 273, 413 and 414 of the Indian Penal Code
and Section 30(A) of the Bihar Prohibition and Excise Act, 2016
and Section 25(1-b)a, 26 and 35 of the Arms Act.

Allegation as per F.I.R is of recovery of 29.85 litres from
a room in which eight parsons including petitioners were present
and there is also allegation of recovery of one loaded country
made pistol.

It has been submitted on behalf of the petitioners that
they have falsely been implicated in this case and nothing has been
recovered from their possession and so far recovery of country
made pistol is concerned, the same has been recovered from co-
accused of this case and though petitioner no. 1 is accused in two
more case out of which one is of similar nature as the present,
however, in that case only two litres of liquor was recovered.



Petitioners have been in judicial custody since 15.08.2017.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, quantity of recovery and period of custody and also that petitioners has no criminal antecedent, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge –III cum Special Judge (Excise), Purnea, in connection with K. Hat P.S. Case No. 568 of 2017, subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) It is made clear that if the petitioners again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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