

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 47398 of 2017**

Arising Out of PS. Case No.-70 Year-2017 Thana- Kundwachainpur District- East  
Champaran

- 
1. Nathuni Sah, Son of Late Budhan Sah,
  2. Virendra Mukhiya, Son of Late Panchu Mukhiya,  
Both resident of Village- Kharua, P.S.- Kundwachainpur  
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Suresh Prasad Bhakta  
For the Opposite Party/s : Mr. Ramchandra Sahani

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2. 17-10-2017                      Heard Sri Suresh Prasad Bhakta, learned counsel for  
the petitioners and learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in connection with Kundwachainpur P.S. Case No. 70 of 2017 registered for offence under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that petitioners' name has come on the basis of confessional statement of co-accused. Except confessional statement, there is no other material to connect the petitioners and both the



petitioners are having clean antecedent, which fact has been stated in paragraph – 3 of the petition.

Considering the fact that petitioners' name has come on the basis of confession of co-accused as well as the fact that petitioners are having clean antecedent, in the event of arrest or surrender within a period of six weeks from today, let both petitioners namely Nathuni Sah and Virendra Mukhiya be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Sikrahna at Dhaka, East Champaran in connection with Kundwea Chainpur Case No. 70 of 2017, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Rakesh Kumar, J.)**

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