

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5559 of 2018

Arising Out of PS.Case No. -452 Year- 2017 Thana -MOTIPUR District- MUZAFFARPUR

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1. Rama Kumar Sahni son of Ruplal Sahni
 2. Chhotelal Sahni son of Binda Sahni
Both residents of Village-Jhakra Uprati, P.S.-Pipra, Kothi, Distt.-
East Champaran
 3. Rama Manjhi, son of Soman Manjhi @ Sobhan Manjhi, resident of
Village-Bela Jagatia, P.S.-Pipra Kothi, District-East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioners are in custody since 9.12.2017 in connection with Motipur P.S. Case No.452 of 2017 registered for the offence under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 30(a), 38(i) and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners are the villagers who had taken a lift from Santro vehicle, which was apprehended along with certain arms and bottles of illicit foreign liquor. It is further submitted that when



the vehicle was apprehended, the petitioners started fleeing from the vehicle and as a result thereof, they were chased and apprehended and taken into custody. Thereafter, they are languishing in jail. Learned counsel for the petitioners submits that the allegation is of recovery of two cartridges from the possession of petitioner nos.1 and 2 whereas petitioner no.3 was found to be only one cartridge without any firearm.

Taking into consideration the entire facts and circumstances and that the petitioners have already been in jail custody for the past two months and they are having clean antecedents, let the petitioners, above named, be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge-cum-Special Judge, Excise Act, Muzaffarpur, in connection with Motipur P.S. Case No.452 of 2017.

(Anjana Mishra, J)

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