

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18126 of 2018**

Arising Out of PS. Case No.-388 Year-2017 Thana- KAJI MUHAMMADPUR District-  
Muzaffarpur

1. Niraj Singh @ Niraj Kumar, s/o- Vijay Singh @ Vijay Kumar Singh  
2. Heera, son of Suresh Sah  
Both resident of mohalla Kathipul, Sabzimandi, P.S.- Kazi Mohammadpur,  
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok  
For the Opposite Party/s : Mr. SAKIR AHMAD

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      29-03-2018                      Heard learned counsel for the petitioners and learned APP for  
the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 323, 379, 504, 506 and 34 of the Indian Penal Code and Section 37(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that accused persons came on the shop of the informant, misbehaved him, snatched his money and also started abusing him. There is further allegation that the accused person in a drunken state assaulted the informant.

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 general



and omnibus allegations have been levelled against the petitioners for the offence under Section 379 IPC. Co-accused Aakash is alleged to have been apprehended in a drunken state. Hence the offence under the provision of Bihar Prohibition and Excise Act, 2016 has been levelled. There is no recovery of liquor or any intoxicant from the possession of the petitioner.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned Special Judge, Excise, Muzaffarpur in connection with Kazi Mohammadpur P.S. Case No. 388/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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