

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57211 of 2018

Arising Out of PS.Case No. -197 Year- 2018 Thana -BARHARIA District- SIWAN

- =====
1. Anil Chaudhary @ Anil Kumar, Son of Ramayan Chaudhary, Resident of Village- Paitalish.
 2. Sheo Shanker Sah @ T.T., Son of Thakur Sah, Resident of Village- Rachhopali,
 3. Umesh Prasad, Son of Ram Narayan Prasad, Resident of Village- Paltuhatta.
- All of Police Station- Jamo Bazar, District- Gopalganj.
4. Mintu Kumar, Son of Sanjay Kuamr Prasad @ Sanjay Prasad, Resident of Village- Madhopur, P.S.- Madhopur O.P., District- Gopalganj.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Barharia P.S. Case No. 197 of 2018 registered for the offences punishable under Sections 272, 273, 308 of the Indian Penal Code and Section 30(a), 41(1) of Bihar Prohibition of Excise Act, 2016.

The informant having got secret information arrested one Ful Mohammad and seized Indian made foreign liquor in huge quantity. The apprehended accused Ful Mohammad disclosed the name of the petitioners and confessed that seized Indian made



foreign liquor belonged to petitioners.

Submission on behalf of the petitioners is that except so-called confessional statement of co-accused Ful Mohammad, there is nothing against the petitioners and the impugned order goes to show that investigation against the aforesaid co-accused Ful Mohammad has already been completed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan in Barharia P.S. Case No. 197 of 2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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