

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74804 of 2018

Arising Out of PS. Case No.-114 Year-2018 Thana- KANHAULI District- Sitamarhi

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1. Sahnu Thakur Son of Ramchandra Thakur, R/v- Muhachatti
 2. Sukhdeo Mandal @ Sukdeo Mandal, Son of Sukeshwar Mandal, R/v- Dularpur Ghat, Both Police Station- Kanhauli, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Sri Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Kanhauli P.S. Case No. 114/2018 registered under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioners submits that false implication of the petitioners would be apparent from a bare reading of the First Information Report in which it is stated that from reliable sources the informant got the name of the person who had fled away on seeking the raiding party. Learned counsel submits that it is a case of false implication under the provisions of the Excise Act.

Learned counsel for the State is present and opposes



the prayer for anticipatory bail of the petitioners.

In the given facts and circumstances of the case where it is the case of the petitioner that he was not caught with any illicit liquor and even some of his identification is not stated in the F.I.R., in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi, in connection with Kanhauli P.S. Case No. 114 of 2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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