

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50169 of 2018

Arising Out of PS. Case No.-515 Year-2018 Thana- SITAMARHI District- Sitamarhi

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1. Bablu Sah, S/o Raj Deo Sah,
 2. Chanchal Kumar Mandal @ Chanchal Mandal, S/o Late Kishori Mandal, Both resident of Village- Bhasar Gote, P.S. and Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 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, 342, 323, 353, 504/34, 290, 291 of the Indian Penal Code and Sections 30(a), 37(b), 37(c) and 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the petitioners were found in drunken state.

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 names of the petitioners have transpired due to mistake of fact. It is alleged that the petitioners tried to protest



on the arrest of co-accused Prem Paswan and Sanjeev Paswan.
There is no recovery of liquor from the possession of the
petitioners.

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 A.D.J.-II-
cum- Special Judge, Excise Act, Sitamarhi in connection with
Sitamarhi P.S. Case No. 515 of 2018, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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