

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17337 of 2019

Arising Out of PS. Case No.-280 Year-2018 Thana- BARBIGHA District- Sheikhpura *

1. RANJAN KUMAR Son of late Bhasho Singh Resident of Village - Rampur Sinday, P.S.- Barbigha, Distt - Sheikhpura.
2. Vikas Kumar Son of Dilip Singh Resident of Village - Rampur Sinday, P.S.- Barbigha, Distt - Sheikhpura.
3. Rajnish Kumar Jha Son of late Siyaram Jha Resident of Village - Rampur Sinday, P.S.- Barbigha, Distt - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-03-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 23.2.2019 in a case registered for the offences punishable under Sections 341,323,354,504 and 506/34 of the I.P.C. and Section 37(c) of the Bihar Prohibition and Excise Act, 2016

The prosecution case as per the written report dated 1.9.2018 of Binita Devi submitted to the SHO, Barbigha (Mission O.P.) Police Station is to the effect that four accused persons including the petitioners were consuming liquor near their door. On protest being made, they entered into the house of the informant in inebriated condition and assaulted the informant and stanchd her gold chain. Thereafter, other four



co-accused persons came and assaulted the husband and son of the informant.

It is submitted by learned counsel for the petitioners that in the background of earlier dispute, the accusation has been levelled. It is further submitted that there is counter version of the occurrence being Barbigha (Mission OP) P.S. Case No. 168 of 2018. Moreover, no injury has been caused to any one. It is further submitted that no breath analyzer test has been conducted of the petitioners, hence it cannot be said that they had consumed liquor.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the nature of accusation and the period in custody, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Sessions Judge, Sheikhpura in connection with Excise Case No.219 of 2018 arising out of Barbigha P.S. Case No.280 of 2018.

(Dinesh Kumar Singh, J)

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