

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79265 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Rajkumar Chaudhri @ Raj Kumar Chaudhary Son of Raju Chaudhri, Resident of Village - Mududabad, P.S.- Mohiuddin Nagar, District - Samastipur
 2. Nitish Kumar Son of Rajkumar Chaudhri @ Raj Kumar Chaudhary, Resident of Village - Madudabad, P.S.- Mohiuddin Nagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Sri Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioners apprehend their arrest in Mohiuddin Nagar P.S. Case No.77 of 2018 registered under Sections 147, 148, 149, 307, 332, 333, 341, 323, 337, 353, 427, 504 and 506 of the Indian Penal Code and under Section 45 of the Bihar Prohibition and Excise Act.

On the basis of written report of A.S.I., the case was registered against 15 known persons and 40-45 unknown persons on the allegation that when the informant raided the toddy shop having received secret information that shopkeepers were selling illegal liquor, the accused persons and others assembled there abused and assaulted the police officials, who



had gone to raid the toddy shop. The accused persons also damaged the police jeep.

Learned counsel for the petitioners submits that the toddy shopkeepers were protesting the illegal raid made by the police. The petitioners have no manner of concern with the occurrence. Although the petitioners are named in the F.I.R. but no specific allegation has been made against them.

Having considered the facts and the nature of allegation made against the petitioners and the fact that no specific allegation has been made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Additional Sessions Judge III-cum-Special Judge, Excise, Samastipur in connection with Mohiuddin Nagar P.S. Case No.77 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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