

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55347 of 2019

Arising Out of PS. Case No.-197 Year-2019 Thana- HARSIDHI District- East Champaran

1. NAND KISHORE SAH, aged about 25 years, Male, Son of Dhrup Deo Sah, Resident of Village- Olaha Bajar, P.S.- Harsidhi, District- East Champaran
 2. Chandeshwar Paswan, aged about 27 years, Male, Son of Belas Paswan, Resident of Village- Olaha Bajar, P.S.- Harsidhi, District- East Champaran
- ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Harsidhi P.S. Case No. 197 of 2019 for the offences alleged under Sections 272, 273, 308 and 34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of 10 liters of country made liquor from the bush situated at the bank of river from where three persons succeeded to flee away, but, the local Chowkidar identified both the petitioners.

The submission of the learned counsel for the petitioners is that petitioners were not apprehended on spot and have no criminal antecedent. In fact, due to dirty village



politics, local Chowkidar has disclosed the names of the petitioners.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Harsidhi P.S. Case No. 197 of 2019 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge IX-cum-Special Judge, Excise, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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