

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57705 of 2019

Arising Out of PS. Case No.-88 Year-2014 Thana- UDAKISHUNGANJ District- Madhepura

1. Amit Singh @ Amrit Singh Son of Late Shyam Sundar Singh
2. Nanhejee Singh @ Nanhe Singh Son of Shri Umesh Singh
3. Dipak Kumar Singh @ Dipak Singh Son of Shri Mahendra Singh
All are residents of Village-Sahajadpur, Ward No.8, P.S.-Udakishunganj,
District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

The petitioners apprehend their arrest in connection with Udakishunganj P.S. Case No. 88 of 2014, registered under Sections 147, 149, 225, 341, 353 and 506 of the Indian Penal Code and Section 47A of the Bihar Excise Act.

The allegation against the petitioners, as per FIR lodged on 18.08.2014, is that petitioners along with one Nagendra Singh was indulged in trade of illicit liquor, police party reached fertilizer seeds shop of Nagendra Singh and total quantity of 11.20 liters of illicit liquor has been recovered from the shop of Nagendra Singh. It has further been alleged while



the police was preparing seizure list, 25-30 persons including these petitioners got the said Nagendra Singh freed from the custody of the police.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case with oblique motive, the police after detailed investigation submitted final form and did not send the petitioners for trial. He further submits that after lapse of four years learned court below has taken cognizance on 10.12.2018 against the petitioners under Section 341, 353, 506 of Indian Penal Code and also under Section 47(A) of the Bihar Excise Act.

After having heard learned counsel for the parties and taking into consideration the fact that the police after investigation had submitted final report not sending the petitioners for trial, I am inclined to grant anticipatory bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise),



Madhepura in connection with Udakishunganj P.S. Case No. 88
of 2014; subject to condition as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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