

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78805 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- MANSAHI District- Katihar

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1. BASUDEV CHOUDHARY @ CHOTKA BASUDEO S/O Baijnath Choudhary Resident of Village - Amhara, P.S. - Mansahi, District- Katihar.
 2. Suresh Murmu @ Kundan Murmu S/O Bikram Murmu @ Langru Murmu Resident of Village - Amhara, P.S. - Mansahi, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-12-2019 At the very outset, learned counsel for the petitioners has submitted that petitioner No.1 has been arrested during the pendency of this application, as such he seeks permission to withdraw this application with respect to petitioner No.1.

This application with respect to petitioner No.1 is dismissed as withdrawn.

Petitioner No.2 seeks bail in anticipation of his arrest in connection with Mansahi P.S. Case No. 83 of 2019 registered for the offences punishable under Sections 341, 323, 504, 353/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

As per FIR police seized liquor from two motorcycles and at that time a mob of 25-30 persons came there and attacked the



police party and damaged the vehicle. It is also alleged that in the light of vehicle persons were seen in drunken condition and local people disclosed the name of petitioner and others.

Submission of learned counsel for the petitioner No.2 is that except the above allegation there is no allegation of carrying liquor and recovery of liquor from his possession and he has no criminal antecedent.

Heard learned APP also.

In view of above facts and circumstances, let petitioner surrender within a period of three weeks from the receipt of this order and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Katihar, in connection with Mansahi P.S. Case No. 83 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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