

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78611 of 2018

Arising Out of PS. Case No.-289 Year-2018 Thana- CHHAURADANO District- East
Champaran

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1. Munna Mukhiya S/o Babulal Mukhiya.
 2. Akehaya Kumar @ Akshaya Kumar S/o Anil Kumar, Both Resident of Village- Tikuliya, P.S. Adapur, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Smt. Anita Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-01-2019 Heard learned counsel for petitioners sand learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with Chhauradano (Mahuawa) P.S. Case No. 289 of 2018 registered for the offences punishable under Sections 401, 414/34 of the Indian Penal Code and Section 37(b) Bihar Prohibition and Excise Act, 2016.

Informant who is the police officer has alleged that while he was on patrolling duty, two miscreants borne on one motorcycle were coming and after seeing the police tried to flee away and both of them were apprehended and were found to be in intoxicated condition and could not produce ownership of the motorcycle.



It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. Petitioners have been falsely implicated in this case due to high handedness of the police. Petitioners have no criminal antecedent and are in custody since 21.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, East Champaran at Motihari, in connection with Chhauradano P.S. Case No. 289 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.
- (4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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