

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16009 of 2021

Arising Out of PS. Case No.-125 Year-2020 Thana- MASHRAK District- Saran

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1. Dharmendra Prasad @ Dharmendra Kumar Prasad S/O Late Murli Prasad R/o village- Rajapatti Gola Dumarshan, P.S.- Masharak, District- Saran at Chapra
 2. Ravi Kumar S/o Late Murli Prasad R/o village- Rajapatti Gola Dumarshan, P.S.- Masharak, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrinath Manjhi
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 272, 273, 504,



506 of the Indian Penal Code and Section 30, 30(a), 38, 41, 45 of the Bihar Prohibition & Excise Act.

It is alleged that on secret information, the police raided the shop of one Dashrath Sah and recovered 10 litres of country made liquor and 3.125 litres of Indian made foreign liquor. It is further alleged that when the police parties were taking the accused to the police station, all the accused persons including the petitioners tried to release the accused from the police custody and assaulted the police personnel with fists and slaps.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners is omnibus and general. The petitioners were not present at the place of occurrence and they have falsely been implicated in this case due to village politics. Nothing has been recovered from the conscious possession of the petitioners. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.



In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional District Judge, Saran at Chapra in connection with Masharak P.S. Case No. 125 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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