

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31513 of 2020

Arising Out of PS. Case No.-275 Year-2018 Thana- BIHARIGANJ District- Madhepura

1. NITIS RANA @ NITISH RANA S/o Ashok Yadav Resident of Village- Laximipur, P.S.- Uda Kishunganj, District- Madhepura
2. Mantu Jha S/o Shailendra Jha Resident of Village- Panchwati Chowk Dohatbari, P.S.- Udakishunganj, District- Madhepura.
3. Sonu Jha S/o Krishnakant Jha Resident of Village- Uda Kishunganj, P.S.- Udakishunganj, District- Madhepura
4. Ranvir Yadav S/o Late Ajay Yadav Resident of Village- Laxipur (Laxmipur), P.S.- Udakishunganj, District- Madhepura.
5. Durganand Yadav S/o Shailendra Yadav Resident of Village- Gorpar, P.S.- Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-01-2021 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners apprehend their arrest in Bihariganj P.S. Case No. 275 of 2018 (Excise Case No. 1534 of 2018), registered for the offence punishable under Sections 389, 307, 353, 504 and 34 of the Indian Penal Code and section 27 of the Arms Act and section 30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, during patrolling duty when



the police party reached near poultry farm of Suman Yadav they saw one Maruti car was parked there. When the informant checked the car, 6 to 7 persons came from poultry farm and one of them fired upon the informant which did not hit the informant. However, one Md. Azad was apprehended who disclosed the name of these petitioners and 2.5 litres of country made liquor and one mobile was recovered from the car.

It is submitted that name of these petitioners have come in this case on the basis of confessional statement of co-accused Md. Azad. Nothing has been recovered from conscious possession of these petitioners. Petitioners have got clean antecedent, as stated in para 3 of the petition.

Considering the facts aforesaid, the petitioners above-named in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District Judge II-cum-Special Judge, Excise Act, Madhepura in connection with Bihariganj P.S. Case No. 275 of 2018 (Excise Case No. 1534 of 2018), subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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