

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53611 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- CHAKAI District- Jamui

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1. Sokha Murmu, Son Of Raheda Murmu R/V- Manakola (Ambatand), P.S- Chakai, Dist- Jamui
 2. Suresh Murmu, Son Of Raheda Murmu R/V- Manakola (Ambatand), P.S- Chakai, Dist- Jamui

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Raj

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 272 and 273 of the I.P.C. and Sections 30(a) and 30(c) of the Excise Act, 2018.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 105 litres of soaked java mahua and 04 litres of liquor from a brick house of petitioner no.1 and 75 litres of soaked java mahua and 04 litres of liquor from the brick house of the petitioner no.2.



The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and came to be implicated based on the identification made by passers-by as has been pleaded in Para-7 of the anticipatory bail application. It is also submitted that it has been specifically pleaded at Para-10 that that does not belong to either of the petitioner from where the alleged recovery was made and the police in mechanical manner implicates innocent person without holding proper inquiry as petitioners are persons with clean antecedent.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Chakai P. S. Case No.91 of 2022, subject to the conditions laid down under Section 438(2) of the



Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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