

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61432 of 2022

Arising Out of PS. Case No.-156 Year-2022 Thana- KATRA District- Muzaffarpur

1. Upendra Sahni S/o Shivji Sahni Resident of village- Lakhanpur, P.S.- Katra, District- Muzaffarpur.
2. Yoginder Yadav @ Yogendra Rai S/o Dhana Yadav @ Dhana Rai Resident of village- Lakhanpur, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners is permitted to
remove the defects during course of the day.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 341, 323,
353, 504 and 34 of the Indian Penal Code read with Section
37(C) of the Bihar Excise Act.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and the informant
alleges that *Mukhiya* informed that some anti-social elements
are creating nuisance after consuming liquor, accordingly the



informant reached the place of occurrence where it is alleged that the accused persons misbehaved with the police, further five accused were arrested who were found in an intoxicated condition and rest persons, including the petitioners, were identified by the *chowkidar*.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that they were not arrested from the spot, further they were on an inimical term with the *chowkidar* and as such they came to be implicated in the present case when the FIR does not even remotely suggest that the apprehended accused had disclosed the name of the petitioners.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Katra P.S. Case No.



156 of 2022 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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