

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22005 of 2023

Arising Out of PS. Case No.-263 Year-2021 Thana- SANGRAMPUR District- East
Champaran

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1. Chandshi Yadav @ Chandshi Kumar S/O Duryodhan Yadav @ Jijan Yadav
R/O Village- Mishragram, P.S- Sangrampur, Distt.- East Champaran.
 2. Pappu Paswan S/O Bharat Paswan @ Bharat Hazara R/O Village-
Mishragram, P.S- Sangrampur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 30(a), 32, 41(1) of the Bihar Prohibition and Excise Act, 2016, Section 25(1-b)a, 26, 35 of the Arms Act and Section 67 of C.D.I.T. Act.

The prosecution case, in short, is that a photograph got viral in which accused persons were holding pistol and wine in their hands. There is no recovery of liquor.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. The names of the



petitioners have transpired merely on the basis of photograph which became viral. In the said photograph, the petitioners are said to have been holding a bottle and a pistol. Except for this, there is no other substantive evidence to suggest the participation of the petitioners in this case. There is no recovery of liquor in the present case. There is no F.S.L. report in respect of the genuineness of the said photograph on record.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Sangrampur P.S. case No. 263 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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