

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45859 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- KOILWAR District- Bhojpur

1. JAGLAL MUSAHAR @ JAGLAL RAM SON OF LATE MUNSHI MUSAHAR RESIDENT OF VILLAGE- SAKADI, MUSAHAR-TOLI, PS-KOILWAR, DISTRICT- BHOJPUR
2. KAMLESH MUSAHAR @ KAMLESH KUMAR SON OF JAGLAL MUSAHAR RESIDENT OF VILLAGE- SAKADI, MUSAHAR-TOLI, PS-KOILWAR, DISTRICT- BHOJPUR
3. AKHILESH MUSAHAR @ AKHILESH KUMAR SON OF JAGLAL MUSAHAR RESIDENT OF VILLAGE- SAKADI, MUSAHAR-TOLI, PS-KOILWAR, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Lallan Singh, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 337, 332, 353 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act.
3. The learned counsel for the petitioners at the outset seeks permission to withdraw the present anticipatory bail application with respect to petitioner no. 1.



4. Permission is accorded.

5. Learned counsel for the petitioners submits that the petitioner nos. 2 and 3 are persons with clean antecedent and allegation is of recovery of 80 liters of liquor from a plastic bag found in front of the house of petitioner no. 1. It is next alleged that he was apprehended but the petitioners along with 20-25 other accused persons pelted stones on the police personnel and helped Jaglal Musahar fleeing from police custody.

6. Learned counsel for the petitioners submits petitioner no. 2 and 3 have been falsely implicated in the present case, it is next submitted that there is no specific allegation of any overt act committed by the petitioner rather the allegations are general and omnibus in nature.

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

8. Considering the submissions made by the learned counsel for the petitioners, the petitioner no. 2 and 3, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.



10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Koilwar P.S. Case No. 154 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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