

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47698 of 2015

Arising Out of PS.Case No. -138 Year- 2013 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Ansarul Mian S/o Late Jamal Mian Resident of village - Nawka Tola, P.S. -
Raxaul, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 16-10-2015 Heard Sri Ajay Kumar Singh, learned counsel for the
petitioner and Sri D.P.Tiwari, learned Addl. Public Prosecutor.

The petitioner, who apprehends his arrest in Raxaul
P.S. Case No. 138 of 2013 (corresponding to Trial No. 2872 of
2015, G.R. Case No. 406 of 2013) registered for the offence under
Sections 272, 273/34 of the Indian Penal Code and Section 47(A)
of the Excise Act, has prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner
that nothing was recovered from conscious possession of the
petitioner, whereas, two accused persons were arrested on
allegation of carrying about forty litres of country-made liquor.
Subsequently, on confession made by co-accused before the
police, name of the petitioner has transpired. He submits that it is

palpably a case of false allegation on the ground that earlier the petitioner was made accused long back in the year 1993.

In view of nature of accusation as well as the fact that name of petitioner has come in confession, let the petitioner namely Ansarul Mian be enlarged on bail, in the event of arrest or surrender within a period of eight weeks from today, on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul, East Champaran at Motihari/concerned court in connection with Raxaul P.S. Case No. 138 of 2013 (Trial No. 2872 of 2015), subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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