

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31079 of 2014

Arising Out of PS.Case No. -15 Year- 2014 Thana -SARE District- NALANDA (BIHARSHARIFF)

- =====
1. Anjani Singh @ Anjani Kumar, Son of Late Harish Chandra Singh
2. Vikas Kumar Son of Late Swaraj Prasad Sharma Both resident of village
+ P.S.- Sare, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Ashraf Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 47(a) of the Excise Act.

196 bottles of beer were recovered from Madhuban Motel. It is alleged that petitioner no. 1 and one other person escaped from the scene when the police raided the place. Petitioner no. 2 is the owner of the land on which the motel is situated.

It is submitted by learned counsel for the petitioners that one Giridhar Kumar has claimed to have been running the motel in question. Petitioner no. 2 is only the land owner.

Considering the fact that there is nothing on record to suggest that petitioner no. 1 is any way connected with motel in question, let the above named petitioner no. 1 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve 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 CJM, Nalanda at Biharsharif in connection with Sare P.S. Case No. 15 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

This court is not inclined to accede to the prayer for anticipatory bail of petitioner no. 2. However, let the learned court below consider the prayer for regular bail of the petitioner no. 2 if he surrenders within six weeks from today in connection with the aforementioned case pending in the court of learned C.J.M., Nalanda at Biharsharif.

(Dinesh Kumar Singh, J)

Anil/-

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