

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28079 of 2015**

Arising Out of PS.Case No. -133 Year- 2014 Thana -DERNI District- SARAN

- =====
1. Munshi Lal Rai S/o Jitan Rai @ Jatan Rai Resident of Village & P.S. Darni, District Saran.  
2. Jitendra Rai S/o Munshilal Rai At + P.S. Darni, District Saran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Mr. R.S.Chaudhary (App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

2      24-07-2015                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Darni P.S. Case No. 133 of 2014 registered for the offence under Sections-272, 273, 290, 308 of the Indian Penal Code and Section-47(A) of the Excise Act.

Petitioners were neither caught on spot nor anything was recovered from their conscious possession and it appears that the driver of pick-up van disclosed that the seized spirit was being carried out by him to deliver to the petitioner No. 1 and except the aforesaid material, there appears to be nothing against these petitioners. Petitioners

do not have any criminal antecedent and the owner of the vehicle has already been granted privilege of anticipatory bail by a coordinate bench of this court.

Accordingly, petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Derni P.S. Case No. 133 of 2014 to the satisfaction of Learned Sub Divisional Judicial Magistrate, Saran at Chapra subject to conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

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**(Hemant Kumar Srivastava, J)**