

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6420 of 2016

Arising Out of PS.Case No. -188 Year- 2013 Thana -BHORE District- GOPALGANJ

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1. Ramnath Bhagat son of Kishun Bhagat Resident of village Bairauna P.S.
Bhore District Gopalganj.
2. Balindra Yadav son of Parma Chaudhary resident of village Luhsi P.S.
Bhore District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr. M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and 47A of the Excise Act.

The prosecution case is that on the basis of confidential information police raided, when five persons escaped from the bush, from where 200 liters of spirit was recovered.

It is submitted by the learned counsel for the petitioners that recovery cannot be treated from the possession of the petitioners. Only on suspicion accusation has been levelled. Petitioner no. 1 has no criminal antecedent, whereas

petitioner no. 2 is accused in four other cases.

So far as petitioner no.2 is concerned, let the learned court below consider the prayer for regular bail of the above named petitioner no.2 namely Balindra Yadav, if he surrenders before the learned court below within a period of six weeks from today in connection with Bhore P.S. Case No. 188 of 2013, pending in the court of learned Sri Aashish Mishra, J.M., Gopalganj.

Considering the nature of accusation, let the above named petitioner no. 1 namely Ramnath Bhagat be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sri Aashish Mishra, J.M., Gopalganj in connection with Bhore P.S. Case No. 188 of 2013, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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