

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18764 of 2016

Arising Out of PS.Case No. -22 Year- 2010 Thana -GOVERNMENT OFFICIAL COMP. District-
AURANGABAD

- =====
1. Dhananjay Singh @ Dhananjay Kumar Singh
 2. Jitendra Singh S/o Rajendra Singh
- Both are resident of Village- Dhiri Bigha, P.S.- Mali,
District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Shakir Ahmad(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 05-07-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in
connection with Excise Case No.22 of 2010 for allegedly having
committed the offences under Section 47(A) of the Excise Act.

Learned counsel for the petitioners submits that though
the petitioners are presently facing prosecution with regard to the
present case, another case filed by the same informant has also
been registered at Aurangabad, bearing Mali P.S. Case No.21 of
2010. Learned counsel for the petitioners further submits that the
informant himself is of doubtful antecedent and has been trying

to make unwarranted allegation against the petitioner for reasons best known to himself. It is further submitted that such prosecution is to be discouraged and in the second case, bearing Mali P.S. Case No.21 of 2010, final form has already been submitted exonerating the petitioners.

In view of the aforementioned facts and circumstances and that there cannot be institution of two cases for one offence, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Sarvesh Kumar Mishra, Judicial Magistrate, 1st Class, Aurangabad, in connection with Excise Case No.22 of 2010, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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