

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30776 of 2016

Arising Out of PS.Case No. -18 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

- =====
1. Abhishek Rai @ Abhishek Patel son of Late Ram Sagar Rai
 2. Nandu Patel @ Nandu Rai, son of Late Ram Sagar Rai both resident of Village-Awapur P.S. Puparti, District Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 08-08-2016 Heard the counsel for the petitioners and the State.

The petitioners herein seek anticipatory bail in G.O. Case No. 18 of 2014 registered under section 47(a) and 18(i) of the Excise Act.

A huge quantity of country-made liquor as well as India made foreign liquor (IMFL) was allegedly recovered from the cloth shop. It is stated that according to the prosecution report which was belatedly filed by the prosecution, the cloth shop was running by petitioner no.2. Petitioner no.1 has also been cited as an accused as he is full brother of petitioner no.2.

Having heard the parties and on perusal of the material on record including the impugned order, in my view, petitioner no.2, namely, Nandu Patel @ Nandu Rai does not deserve the privilege

of anticipatory bail. His prayer for bail is accordingly rejected.

Petitioner no.1 Abhishek Rai @ Abhishek Patel is stated to be the brother of petitioner no.2 and presently is pursuing the B. Tech course, as would appear from the records. He is directed to be released on anticipatory bail in the event of arrest/surrender within four weeks from today on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Sitamarhi in G.O. Case No. 18 of 2014 on condition that one of his bailors shall be his own/close family members. No sooner the charges are framed, he shall appear in person on the date(s) fixed at the trial court. In case of default in doing so on two consecutive dates, the trial court shall be at liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

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