

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46268 of 2016

Arising Out of PS.Case No. -34 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
VAISHALI(HAJIPUR)

=====

Ram Babu Rai, S/o Sri Ram Bilas Rai, Resident of village – Chakkohri, P.S.
Baligaon, District – Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s : Mr. Sri Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

02/ 22-10-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Section 47(a)
of the Bihar Excise Act.

The prosecution case is that on search of
the hutment of co-accused Ramchandra Rai a tank lorry loaded
with spirit was found when the accused persons were found
draining out spirit illegally from the tank lorry and from the
hutment of co-accused Ramchandra Rai 4400 litres country
made liquor was recovered and petitioner along with others were
found escaping from the place of seizure.

It is submitted by learned counsel for the

petitioner that similarly situated co-accused Rajeshwar Kumar Singh has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 16020 of 2016. Admittedly the recovery has not been made from the petitioner nor the petitioner was apprehended from the place of occurrence. Petitioner side lodged complaint case against the informant at earlier point of time. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with C-2A 34/15/Tr. No. 543/16, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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