

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26003 of 2017

Arising Out of PS.Case No. -7 Year- 2015 Thana -KORMA District- SEKHPURA

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1. Ghanshyam Ram Son of Laddu Ram
2. Sohan Ram Son of Laddu Ram
3. Rajan Ram Son of Karu Ram. All are Resident of Village-Murarpur,
Police station-Korma, District-Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Korma P.S.Case No. 07 of 2015 registered under Sections
272 and 273 of the Indian Penal Code and Section 47-A of the
Excise Act.

It is contended by the learned counsel for the
petitioners that the instant case was registered under the Bihar
Excise Act, 1915. It is contended that the recovery of the
incriminating materials was from open space and during
investigation the petitioners had appeared before the police
pursuant to the notice under Section 41-A of the Code of Criminal
Procedure and the police did not require their arrest or custodial



interrogation and they are apprehending their arrest only after the charge-sheet has been submitted and cognizance has been taken. It is further stated that the co-accused Kamdev Ram and Ranjit Ram have already been granted anticipatory bail by a Bench of this Court vide order dated 30.05.2016 passed in Cr.Misc. No. 13010 of 2016.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Regard being had to the nature of allegation and the submissions made above, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Sheikhpura in connection with Korma P.S.Case No. 07 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of their arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

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