

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43050 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -KATRAHA District- VAISHALI(HAJIPUR)
=====

Karmveer Singh, Son of Jugeshwar Singh @ Janggi Singh, resident of
Village- Ram Nagar Tola Ghataro, P.S.- Kartanha, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.43632 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -KATRAHA District- VAISHALI(HAJIPUR)
=====

Jitendra Singh, son of Ram Chandra Singh, resident of Village - Ram Nagar
Tola , Ghataro, P.S. - Kartanha, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.43050 of 2017)

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate.

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

(In Cr.Misc. No.43632 of 2017)

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-11-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Kartanha**
P.S. Case No. 5 of 2017 instituted for the offence under Sections
30(1) of Bihar Prohibition Excise Act, 2016.

Learned counsel for the petitioners has submitted that



there is no recovery of any foreign liquor from conscious possession of these petitioners. Petitioner of Cr. Misc. 43632 of 2017 is said to be the owner of line hotel. The allegation in Cr. Misc. 43050 of 2017 is that liquor has been recovered from hut of this petitioner.

The seizure list has been enclosed with the First Information Report which does not bear signature either of these petitioners or any of their family members.

From the seizure list as well as from the written report it is apparent that there is no recovery of foreign liquor from conscious possession of these petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Kartanha P.S. Case No. 05 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-Vth, Vaishali at Hajipur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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