

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 25379 of 2017

Arising Out of PS.Case No. -79 Year- 2017 Thana -MASRAKH District- SARAN

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1. Bharat Rai, son of Vishwanath Rai, Resident of Village- Laguni, Police Station- Panapur, District- Saran at Chapra.
 2. Shailesh Kumar @ Shailesh Kumar Rai, Son of Krishna Rai @ Chahetu Rai, Resident of Village- Dumarsan, Police Station- Mashrakh, District- Saran at Chapra.
 3. Prince Kumar, Son of Ashok Sah, Resident of Village- Dumarsan, Fardahiya, Police Station- Mashrakh, District- Saran at Chapra.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh
Mr. Ram Binod Singh

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 13-07-2017 Learned counsel for petitioners, at the very outset, requests for allowing him to make correction in paragraph – 1 of the petition to the extent of correcting provision of law. The prayer is allowed. It may be done in course of the day.

Heard Sri Bindhyachal Singh, learned counsel assisted by Sri Ram Binod Singh, learned counsel for petitioners and Sri Tarun Prasad Mandal, learned Addl. Public Prosecutor.

Three petitioners, apprehending their arrest in Mashrakh P.S. Case No. 79 of 2017 registered for offence under Sections 272, 273 of the Indian Penal Code and Sections 30, 30(A), 38, 41 of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for petitioners



that in the night on 31-03-2017 at about 11:00 P.M., a raid was conducted in the house of one Ashok Sah without any search warrant and from the house of Ashok Sah, recovery of about 22.68 litre of Indian make foreign liquor was shown and petitioners have been named as if after noticing the police, they were fleeing away. It was further submitted by learned counsel for petitioners that the premises, from where the recovery was effected, belongs to Ashok Sah, who has already been made accused and he is father of the petitioner no. 3. So far as petitioner no. 1 & 2 are concerned, it was submitted that there is no connection with accused Ashok Sah.

Considering the nature of accusation and fact of the case, in the event of arrest or surrender within a period of six weeks from today, let aforesaid three petitioners namely 1. Bharat Rai, 2. Shailesh Kumar @ Shailesh Kumar Rai and 3. Prince Kumar be enlarged 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 learned Addl. Sessions Judge – 6th, Saran at Chapra in connection with Mashrakh P.S. Case No. 79 of 2017, subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(Rakesh Kumar, J.)

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