

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62831 of 2018

Arising Out of PS. Case No.-252 Year-2018 Thana- BIKRAMGANJ District- Rohtas

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1. Kamal Sah S/o Late Din Dayal Sah
2. Vikash Kumar, Son of Sri Kamal Sah Both are resident of
Village-Morauna, P.S.-Bikramganj, Distt.-Rohtas
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Smt. Anusuiya Jaiswal

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-11-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

From a Tempo and a motorcycle parked outside the house of the petitioners, foreign liquor was recovered.

Submission is that petitioners had no knowledge nor they are owner of the tempo or motorcycle.

Considering the aforesaid fact, let the petitioner no. 1 Kamal Sah, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond



of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Bikramganj Police Station Case No. 252 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner no. 1 shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 1.

Petitioner no. 2 Vikash Kumar is having identical criminal antecedent, hence, I am not inclined to enlarge him on anticipatory bail. Accordingly, prayer of the petitioner no. 2 for anticipatory bail is refused.

However, in the event of surrender of petitioner no. 2 Vikash Kumar, prayer for regular bail shall be considered without being prejudiced by this order.

(Birendra Kumar, J)

Kundan/Rajan

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