

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23559 of 2018

Arising Out of PS. Case No.-4 Year-2018 Thana- Dawath District- Rohtas

-
1. Budha Singh, S/o Dudhnath Singh @ Dudh Nath Singh,
2. Vinay Singh @ Binay Singh S/o Ramdhani Singh,
3. Bahadur Singh S/o Dudhnath Singh @ Dudh Nath Singh,
All are R/o Vill.- Dhawai, P.S.- Dawath, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv.
Mr. Rohit Kumar, Adv.
For the Opposite Party/s : Smt. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 23-04-2018 Heard Sri Manish Kumar No. 13, learned counsel for the petitioners and learned Addl. Public Prosecutor.

At the very outset, in view of facts and circumstances, learned counsel for the petitioners in respect of petitioner no. 1 Budha Singh seeks permission to withdraw the petition. Accordingly, the prayer for grant of anticipatory bail in respect of petitioner no. 1 Budha Singh stands dismissed as withdrawn.

Learned counsel for the petitioners submits that it is true that from *khalihan* of petitioner no. 1, recovery of about 36 liter of Indian make foreign liquor was shown, but petitioner no. 2 and 3 were not having any connection with the said *khalihan*. They have been made accused on suspicion. By way of referring to statement made in paragraph – 3 of the petition, learned counsel for the petitioners submits that petitioners are having



clean antecedent.

Besides hearing, I have also examined material on record and considering the fact that the main accused, from whose *khalihan* recovery was effected, and his prayer for anticipatory bail has already been rejected, there is no reason to refuse the prayer for grant of anticipatory bail in respect of petitioner no. 2 and 3, particularly; in view of the fact that both are having clean antecedent and there is no direct material against them.

Accordingly, in the event of their arrest or surrender within a period of six weeks from today, let petitioner no. 2 and 3 namely Vinay Singh @ Binay Singh and Bahadur Singh be enlarged on 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 2nd Additional District & Sessions Judge cum Special Judge, Excise, Rohtas, Sasaram in connection with Dawath P.S. Case No. 04 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

anay

U		T	
---	--	---	--

