

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5092 of 2018

Arising Out of PS.Case No. -165 Year- 2017 Thana -DALSINGHSARAI District- SAMASTIPUR

=====

1. Raj Kumar @ Raja, Son of Yogendra Prasad Singh, Resident of Village-Ghat Nawada, Behind Cinema Hali, P.S.- Dalsingsarai, Distt.- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-02-2018

Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Dalsingsarai PS case no. 165 of 2017 registered for the offences punishable under Sections 147, 467, 468, 469, 471 of Indian Penal Code, 25(1-b)a, 26, 27, 35 of Arms Act and 38(i) (ii), 39(a), 41(i) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding the petitioner having been invited to the house of one Dharmendra Kumar on the occasion of marriage and thereafter, a raid was conducted by the police at the said place and one car, empty cartridges, I.D., two bottles of illicit liquor etc. were recovered.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of



the petitioner nor the said car belongs to the petitioner. It is further submitted that the petitioner was merely an invitee on the occasion of marriage in the house of the said Dharmendra Kumar. It is further submitted that barring one case of the same nature in which the petitioner is already on bail, the petitioner is having a fair antecedent.

Considering the nature of accusation and the fact that prima facie, no case is made out under the provisions of the Excise Act, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI, Samastipur in connection with Dalsingsarai PS case no. 165 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure. It is further directed that in case, the petitioner is implicated in similar types of cases, the present privilege of anticipatory bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

rinkee/-

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

