

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23032 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- Amaur District- Purnia

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1. Rajesh Das @ Rajesh Kumar Das, Son of Poshan Das,
 2. Rajesh Kumar Das, Son of Nagendra Das @ Nagendra Kr Das,
 3. Diwakar Gupta alias Diwakar Kumar, Son of Bakim Chandra Gupta, All resident of Village- Talwari Ward No.3, P.S.- Amour District- Purnea.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. S.M. Rahman

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Sri Ram Prawesh Kumar, learned counsel for the petitioners and learned Addl. Public Prosecutor.

Three petitioners, apprehending their arrest in connection with Amour P.S. Case No. 24 of 2018 registered for offence under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

Learned counsel for the petitioner, at the very outset, has drawn my attention to statement made in paragraph – 3 of the petition to show that petitioners are having clean antecedent. He further submits that in village politics, petitioners were made accused, as if, from the house of petitioner no. 1, about 5 liter of



Kingfisher Beer was shown to be recovered. So far as petitioner no. 2 and 3 are concerned, save and except the allegation that they were shown to be fleeing away, no other material has been brought on record. He further submits that it was out-and-out a case of implication in village rivalry.

Besides hearing, I have also examined the materials on record, particularly the clean antecedent of the petitioner, which fact has been mentioned in paragraph – 3 of the petition.

Considering the nature of accusation and clean antecedent, in the event of arrest or surrender within a period of six weeks from today, let aforesaid three petitioners namely (1) Rajesh Das @ Rajesh Kumar Das, (2) Rajesh Kumar Das and (3) Diwakar Gupta @ Diwakar Kumar 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 3rd Additional Sessions Judge cum Special Judge Excise, Purnea in connection with Amour P.S. Case No. 24 of 2018 subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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