

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35491 of 2018

Arising Out of PS. Case No.-72 Year-2018 Thana- CHHATAPUR District- Supaul

1. Ranjit Uraon

2. Karmu Uraon

Both are sons of Lal Uraon, resident of village - Sohata, Ward
No. 08, P.S. - Chhatapur, District - Supaul.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-06-2018 At the very outset, Sri Sunil Kumar Singh, learned counsel for the petitioners, in presence of Sri Gauri Shankar Gupta, learned Addl. Public Prosecutor, submits that during pendency of this anticipatory bail petition, petitioner no.1, namely, Ranjit Uraon has already been arrested and, as such, the petition, so far as petitioner no.1 is concerned, has become infructuous.

Accordingly, the petition for grant of anticipatory bail in respect of petitioner no.1, namely, Ranjit Uraon is dismissed as the same has become infructuous.

Heard learned counsel for the petitioners and learned Addl. Public Prosecutor.

The petitioner no.2, apprehending his arrest in



Chhatapur P.S. Case No.72 of 2018, S.T. Excise 238 of 2018, registered for the offence under Sections 30(a) & (c) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail, in the event of his arrest or surrender.

Learned counsel for the petitioner , at the very outset, has drawn my attention to the seizure list, kept at page-12 to show that copy of the seizure list has not been supplied to any of the family members of the petitioner , nor any signature was obtained. He submits that seizure has been made in complete contravention of Section 100 of the Code of Criminal Procedure. It has been argued that falsely, it was alleged that from the house of the petitioner, some liquor was recovered. Learned counsel for the petitioner submits that during pendency of this petition, petitioner no.1 has already been arrested in the present case. Learned counsel for the petitioners has also drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent.

Considering the fact that the petitioner no.2 is having clean antecedent as well as the fact that one of the brothers of the petitioner no.1 has already been arrested, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner no.2, namely, Karmu Uraon be enlarged on



bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-II-cum- Special Judge, Excise Act, Supaul in connection with Chhatapur P.S. Case No.72 of 2018, S.T. Excise 238 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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