

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63914 of 2018

Arising Out of PS. Case No.-266 Year-2017 Thana- DEEPNAGAR District- Nalanda

1. Rajpal Kumar Son of Sri Badri Prasad.
2. Rudal Kumar @ Santosh Kumar Son of Moti Mahto @ Birendra Prasad @
Biru.
All are R/o Village-Devi Sarai, P.S.-Deep Nagar, District-Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binit Kumar, Adv
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-11-2018 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 30,30(a),35(a),35(b) of Bihar Amendment Excise Act 2016.

Submission is that recovery of liquor is from the deserted house of co-accused-Anandi Matho. Petitioner No.2-Rudal Kumar @ Santosh Kumar has got no criminal antecedent. Further submission is that nothing was recovered from his possession.

Therefore, let the petitioner No.2, above



named, 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 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Deepnagar P.S.Case No.266 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Petitioner No.1-Rajpal Kumar has got identical criminal antecedent. Hence, I am not inclined to enlarge him on anticipatory bail. Prayer is refused. He may surrender and pray for regular bail which shall be disposed of without being prejudiced by this order.

(Birendra Kumar, J)

Nitesh/-

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

