

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71173 of 2018

Arising Out of PS. Case No.-245 Year-2018 Thana- DESARI District- Vaishali

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1. Photo Rai @ Jaibabu Rai, S/o Late Ramdas Rai,
 2. Nitish Kumar, S/o Photo Rai @ Jaibabu Rai, R/o Village-
Rampur Kichni, P.S.- Desari, Dsitrict- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-12-2018

Heard learned counsel for the parties.

Petitioners are apprehending arrest in connection with Desari PS Case No. 245/2018 for the offence under Section 414 of the Indian Penal Code and 30(A) of Bihar Excise Amendment Act, 2016.

Learned counsel appearing for the petitioners submits that the petitioners have no criminal antecedent. It is alleged that two litres of liquor was seized from the possession of Rama Shankar Kumar who disclosed the name of the petitioner involved in delivery of liquor.

Considering that nothing was recovered from the possession of the petitioner and the fact that he has no criminal antecedent, this application is allowed. Accordingly, in the event



of arrest or surrender before the court below within a period of one month from today, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge II-cum-Special Judge, Vaishali at Hajipur in connection with Desari PS Case No. 245/2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

mrl./-

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