

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55469 of 2018

Arising Out of PS. Case No.-482 Year-2018 Thana- BIHTA District- Patna

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1. Hare Ram Rai, S/o Late Kumar Rai @ Raj Deo Rai,
 2. Lahma Rai @ Saheli Rai S/o Late Singhashan Rai,
- Both Residents of Vill.- Pathlautia, P.S.- Bihta, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 08-10-2018 Heard Sri Arvind Kumar Mouar, learned counsel for the petitioners and Sri Damodar Prasad Tiwary, learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Special Case No. 4360 of 2018, arising out of Bihta P.S. Case No. 482 of 2018, registered for the offence under 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.

At the very outset, learned counsel for the petitioners have drawn my attention to the statement made in paragraph-3 of the petition to show that both petitioners are having clean antecedent. It has further been argued that save and except the fact that petitioners' name has come on the disclosure made by



co-accused, there is no other material to connect the petitioners in the present case.

Considering the fact that petitioners are having clean antecedent as well as the fact that petitioners' name has come in the confessional statement of co-accused, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of their arrest or surrender within a period of six weeks from today, let both the aforesaid petitioners, namely, (i) Hare Ram Rai and (ii) Lahma Rai @ Saheli Rai 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 Special Judge, Excise Act, Patna in connection with Special Case No. 4360 of 2018 (arising out of Bihta P.S. Case No. 482 of 2018), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

nawalkrs/-

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