

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12251 of 2018

Arising Out of PS.Case No. -191 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

- =====
1. Kameshwar Singh son of Raj Kishore Singh
 2. Chandraket Singh, son of late Ramashankar Singh, both R/o Village Panjwar, P.S. Raghunathpur, District Siwan.
 3. Sunil Baitha @ Mithun Baitha, son of Gyani Baitha, R/o village Tari, P.S. Raghunathpur, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2018 Heard the learned counsel for the petitioners and the

learned counsel for the State.

The petitioners seek anticipatory bail in connection with Raghunathpur PS case no. 191 of 2017 registered for the offences punishable under Sections 272, 273 and 308 of the Indian Penal Code and Section 30/, 38 and 41 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 54.9 liters of illicit liquor from a car.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of the petitioner herein nor the said car from which the illicit liquor has been recovered belongs to the petitioners. It is further



submitted that as far as petitioner nos. 1 and 2 are concerned, they are having clean antecedent, while the petitioner no.3 is an accused in another case in which he is on bail.

Considering the nature of accusation levelled against the petitioners herein as also the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge, Siwan in connection with Raghunathpur PS case no. 191 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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