

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.75052 of 2018**

Arising Out of PS. Case No.-179 Year-2018 Thana- MADHUBAN District- East Champaran

1. Purushottam Rai, Son of Nawal Kishore Rai @ Navl Kishor Ray, Resident of Village- Wajitpur Maniyarpur, P.S.- Madhuban, District- East Champaran.
2. Uma Kumar, Son of Baiju Rai, Resident of Village- Bhavarua, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma  
For the Opposite Party/s : Mr. Sri Tapeshwar Sharma

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2     18-12-2018                      Heard learned counsel for the petitioner and the  
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Madhuban P.S. Case No. 179 of 2018 for the offence under Section 272, 273 of the Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act 2016.

Learned counsel appearing on behalf of the petitioners submits that the petitioner no.2 has been arrested during the pendency of the application.

In that view of the matter, the application for grant of anticipatory bail on behalf of the petitioner No.2 has become infructuous.



Learned counsel appearing on behalf of the petitioners submits that petitioner No.1 has no criminal antecedent and his name surfaced on disclosure made by one Baidnath Sah, the co-accused who was apprehended by the police.

Considering the fact that the petitioner No.1 has no criminal antecedent and nothing was recovered from his conscious and constructive possession and his name surfaced in the instant case on the confessional statement of co-accused, let the petitioner No.1 above named, in the event of arrest or surrender within one month from today, 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 Court of learned 7<sup>th</sup> Additional District & Sessions Judge - cum-Special Judge, Excise, Motihari, East Champaran, in connection with Madhuban P.S. Case No. 179 of 2018, subject to the conditions as laid down under Section 438 Cr.P.C.

**(Anil Kumar Upadhyay, J)**

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