

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33044 of 2018

Arising Out of PS. Case No.-353 Year-2017 Thana- BARHARA District- Bhojpur

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1. Mantoo Singh, S/o Kameshwar Singh
 2. Amarjeet Singh, S/o Ram Surat Singh
- Both residents of village - Keshopur, P.S. - Barhara, District - Bhojpur.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Adv.
For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 03-07-2018 Heard Sri Tej Pratap Singh, learned counsel for the petitioners and Sri Harendra Prasad, learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Barhara P.S. Case No. 353 of 2017 registered for offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of anticipatory bail.

Learned counsel for the petitioners, by way of referring to the statement made in paragraph -3 of the petition submits that petitioners are having clean antecedent. It has been argued that nothing was recovered from the conscious possession of the petitioners, rather in this case, recovery of liquor was shown from an open field.



Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail, however he has not disputed the fact that nothing was recovered from the premises of the petitioners.

Considering the nature of accusation as well as the fact that both petitioners are having clean antecedent, in the event of their arrest or surrender within six weeks from today, let both the petitioners, namely, 1. Mantoo Singh and 2. Amarjeet Singh, 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 4th A.D.J., Bhojpur at Ara in connection with Barahara P.S. Case No. 353 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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