

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65175 of 2018

Arising Out of PS. Case No.-207 Year-2018 Thana- VAISHALI District- Vaishali

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1. Ajay Kumar Rai @ Ajay Rai S/o Suryadeo Rai
 2. Ravi Rai@ Ravi Shankar Son of Suryadeo Rai
 3. Babloo Rai S/o Sanjay Rai All are Resident of Village-
Daudnagar, P.S. Bidupur, Distt. Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 414 of the Indian Penal Code, 25(1-b)a, 26(ii), 35 of the Arms and 48 and 52 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that one country made loaded pistol is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have transpired on the basis of disclosure made by co-accused namely Rajiv Rai.



Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that one country made loaded pistol is recovered from co-accused Rajiv Rai. No liquor is alleged to have been recovered in the present case. The petitioners had no knowledge regarding the alleged incident.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II-cum- Special Judge, Excise, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 207/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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