

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 56735 of 2018

Arising Out of PS. Case No.-81 Year-2018 Thana- Basantpur District- Siwan

-
-
1. Shiv Narayan Chaudhary, S/o Late Ram Ashish Chaudhary,
 2. Umesh Chaudhary S/o Late Ram Ashish Chaudhary,
- Both are R/o Village - Khawaspur, P.S.- Basantpur, District-Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh
Mr. Gajendra Kumar Singh

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 06-10-2018 Sri Udit Narayan Singh, learned counsel assisted by Sri Gajendra Kumar Singh, learned counsel for the petitioners, at the very outset, submits that in view of the fact that petitioner no. 2 (Umesh Chaudhary) is accused in one another case relating to offence under the Excise Act, he requests for withdrawal of prayer for anticipatory bail in respect of petitioner no. 2.

The prayer is allowed.

The prayer for grant of anticipatory bail in respect of petitioner no. 2 namely Umesh Chaudhary stands dismissed as withdrawn with an observation that if within a period of six weeks from today, the petitioner no. 2 (Umesh Chaudhary) appears before the court below and prays for regular bail, the learned court below, without being prejudiced with this order,



may examine the same and pass appropriate order in accordance with law, preferably on the same date.

Learned counsel for the petitioner no.1 (Shiv Narayan Chaudhary) submits that petitioner no. 1 is having clean antecedent and nothing was recovered from conscious possession of the petitioner no. 1, rather in the case, recovery of three liters of *mahua* liquor was shown from the field of one Ganesh Sharma and petitioner was having no connection with the same.

In view of facts and circumstances, let the petitioner no. 1 namely Shiv Narayan Chaudhary, in the event of arrest or surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan in connection with Basantpur P.S. Case No. 81 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

anay

U		T	
---	--	---	--

