

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2254 of 2019

Arising Out of PS. Case No.-286 Year-2018 Thana- MAIRWAN District- Siwan

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1. Durgesh Singh @ Durgesh Kumar Singh, male, aged about 30 years, son of Ramaji Singh, Risedent of Village-Mudiyari, P.S- Mairwa, District- Siwan
 2. Ramesh Ram @ Ramesh Kumar Prasad, male, aged about 42 years, son of Ramdhari Ram, Risedent of Village-Kuldipa, P.S- Mairwa, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Dubey

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-02-2019 This is an application for grant of anticipatory bail in connection with Mairwa P.S. Case No. 286 of 2018, disclosing offences under Sections 272, 273, 308, 34 of the Indian Penal Code and Sections 30(i), 38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 43 liters 200 ml liquor from a plastic bag and the local persons disclosed the names of the petitioners. It further appears that petitioner no.1 is accused in one more case.

Submission of learned counsel for the petitioners is that they have falsely been implicated in this case and nothing has been recovered from their conscious possession.

Heard learned A.P.P. also.



Having heard both sides, considering the above submission, so far petitioner no.1 is concerned, I am not inclined to grant anticipatory bail to him, rather he should surrender and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court.

So far petitioner no.2 is concerned, this application is allowed. Let petitioner no.2 , above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 2nd cum Special Judge, Excise, Siwan, in connection with Mairwa P.S. Case No. 286 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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