

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7574 of 2019

Arising Out of PS. Case No.-391 Year-2018 Thana- District- Nalanda

1. UPENDRA BIND @ UPENDRA KUMAR
2. Rajesh Bind Shiv Nandan Bind @ Shivan Bind
Both sons of Shiv Nandan Bind @ Shivan Bind, Resident of Village-
Paithna, P.S.-Rahui (Bena), District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-05-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Rahui (Bena) P.S.Case no.391 of 2018 registered for offences punishable under Sections 272, 273, 290 of the Indian Penal Code 30(a)(c),(d)/33/36 of Bihar Prohibition and Excise Act, 2016..

Allegation against the petitioners as per FIR is that the police on information of manufacturing and packing of the liquor raided the house of Sudhu Paswan and spirit and several articles of manufacturing liquor were recovered and the villagers disclosed the name of the persons who succeeded in fleeing away including the petitioners and the petitioner no.2 is



also accused in one case though the petitioner no.1 has no criminal antecedent.

Submission of the learned counsel for the petitioners is that the petitioner no.2 has falsely been implicated in this case and the petitioner no.1 has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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