

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8686 of 2019

Arising Out of PS. Case No.-419 Year-2018 Thana- TURKAULIYA District- East
Champaran

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1. Dina Rai S/o Late Babulal Rai
 2. Uday Rai S/o Nandan Rai
Both R/o Kaparsandi, P.S.- Turkawalia, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-04-2019 This is an application for grant of anticipatory bail in connection with Turkawalia P.S. Case No. 419 of 2018, disclosing offences under Sections 147, 148, 149, 341, 323, 332, 353, 307, 379, 435 of the Indian Penal Code, Section 27 of the Arms Act, Sections 3(i) (r) (s) of SC/ST Act and Section 45 of the Bihar Prohibition and Excise Act, 2016.

Allegation as per F.I.R. is that police raided the house of Arun Rai, Ajay Rai and Rajesh Rai and recovered 400 liters of spirit and thereafter raided the filed of Baliram Rai and recovered 1200 liters of spirit and the petitioners succeeded in fleeing away.

Submission of learned counsel for the petitioners is that F.I.R. itself shows that there is no recovery from the house



or conscious possession of the petitioners and they have falsely been implicated in this case and for the same occurrence, two F.I.R. have been registered, one under SC/ST Act and other is the present case.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact and circumstances as stated above, this application is allowed. Let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions judge cum Special Judge Excise, East Champaran, Motihari, in connection with Turkawalia P.S. Case No. 419 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Amjad/SKSuman.

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