

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13870 of 2019

Arising Out of PS. Case No.-899 Year-2018 Thana- ARARIA District- Araria

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1. Shailendra Kumar Bhagat Son of Jai Krishna Bhagat @ Jay Krishna Bhagat @ Jai Krihan Bhagat
 2. Jai Krishna Bhagat @ Jay Krishna Bhagat @ Jai Krihan Bhagat Son of Ramji Bhagat @ Ram Kripal Bhagat.
Both resident of Village - Madanpur Bazar, P.S.- Madanpur O.P., District - Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-03-2019 This is an application for grant of anticipatory bail in connection with Spl. Case No.1658/18 arising out of Araria (Madanpur O.P.) P.S. Case No. 899 of 2018, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 72.9 liters liquor from the Godam of the petitioners.

Submission of learned counsel for the petitioners is that petitioner no.2 is aged about 66 years and both the petitioners have no criminal antecedents and the Godam is situated outside the house of the petitioners.

Heard learned A.P.P. also.



Having heard both sides, so far petitioner no.2 is concerned, considering his age, 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 2nd Additional Sessions judge-cum-Spl. Judge, Araria, in connection with Spl. Case No.1658/18 arising out of Araria (Madanpur O.P.) P.S. Case No. 899 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

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, if possible to be disposed of on the same day.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

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