

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14890 of 2019

Arising Out of PS. Case No.-590 Year-2016 Thana- NAWADA District- Nawada

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1. Sandeep Mahto @ Sanjeet Mahto S/o Naresh Prasad
 2. Rakesh Mahto S/o Naresh Prasad
Both residents of village.- Deokibigha, Bhadhokhara, P.S.- Muffasil, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-03-2019 This is an application for grant of anticipatory bail in connection with Nawada P.S. Case No. 590 of 2016, disclosing offences under Sections 272, 273 of the Indian Penal Code and Section 47(a)(c)(e)(g) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 52.5 liters liquor from a tempo and one person was apprehended and during course of investigation, the petitioners' names have been transpired.

Submission of learned counsel for the petitioners is that petitioner no.2 has no criminal antecedent, whereas petitioner no.1 is accused in one more case of the 2016 and their names transpired on the basis of confessional statement of co-



accused during course of investigation.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances of the case, so far petitioner no.2 is concerned, this application is allowed. Let the 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 A.D.J.-II, cum Spl. Judge, Nawada, in connection with Nawada P.S. Case No. 590 of 2016 , 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, without being prejudice by order of this Court, 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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