

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21822 of 2019

Arising Out of PS. Case No.-382 Year-2018 Thana- NAANPUR District- Sitamarhi

1. Brajesh Kumar (Male), aged about 24 years, Son of Sita Ram Ray Resident of Village - Kharpatti, P.S.- Runnisaidpur, Distt - Sitamarhi.
2. Mukesh Kumar (Male), aged about 20 years, Son of Ram Suresh Rai Resident of Village - Baghari, P.S.- Runnisaidpur, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Nanpur P.S. Case No. 382 of 2018 registered for offences under sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

As per allegation made in the First Information Report, the police has recovered 12.600 liters of foreign wine from the tempo kept in a bag.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present bail petition.

Looking to the quantity of liquor recovered, let the



petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge, Excise Act, Sitamarhi in connection with Nanpur P.S. Case No. 382 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

However, at the time of accepting bail bonds, the court below will verify and ensure itself regarding criminal antecedent of the petitioner and if it is found that the petitioners have clean antecedent, their bail bond will be accepted but, if it is found that the petitioners are involved in any other case before filing of the present case i.e. 5.4.2019, then they would not be released.

(Shivaji Pandey, J)

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