

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21793 of 2019

Arising Out of PS. Case No.-853 Year-2018 Thana- KOTWALI District- Patna

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1. Akash Kumar, Son of Lalan Kumar Yadav, Resident of Village-Khemanichak, P.S-Kankarbagh, District-Patna.
 2. Deepak Kumar, Son of Sharvan Kumar Yadav, Resident of Village-Khemanichak, P.S-Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad, Advocate

For the Opposite Party/s : Mr.Arbind Kumar Pandey, A.P.P.

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 seeking anticipatory bail in connection with Kotwali P.S. Case No.853 of 2018, registered for the offence punishable under Sections 37 (b) (c) of the Bihar Prohibition & Excise Act, 2016.

Allegation has been made that one person, namely, Raja Prasad was apprehended in drunken condition and on interrogation, he disclosed the name of the petitioners, who have jointly consumed the liquor, however, learned counsel for the petitioners submits that the petitioners have neither been arrested from the spot nor they have got any concerned with the



co-accused Raja Prasad and moreover, they have got no criminal antecedent.

Looking to the entire facts and circumstances of the case, let the petitioners, above-named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Patna in connection with Kotwali P.S. Case No.853 of 2018 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further condition that if the petitioners, after their release in this case, are found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of their bail bonds.

(Shivaji Pandey, J)

V.K.Pandey/-

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