

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26510 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- DAWATH District- Rohtas

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1. AWADH BIHARI SINGH Son of Late Tilangi Singh
 2. Satyendra Singh @ Musha Son of Prahalad Singh
Both resident of Village- Dholaicha, P.S.- Dawath, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arti Kumari

For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-04-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Dawath P.S.Case No.28 of 2019 dated 12.2.2019 , registered for offences punishable under Sections 30(a), 35, 38 of Bihar Prohibition and Excise Act, 2016.

Allegation is that on information of hoarding of huge quantity of liquor, the police raided the house of co-accused Amarjeet Singh and the Poultry Farm of Satyendra Singh (petitioner no.2) and from there 4080 bottles containing 180 ml. of royal stage liquor each were recovered and the petitioners succeeded in fleeing away. Apart from that it appears that the petitioner no.1 is accused in one more case but not of



similar type.

Submission of the learned counsel for the petitioners is that the allegation is false and concocted and he has been named by Choukidar; with whom he has enmity.

Heard learned A.P.P. , who has opposed the prayer for bail stating that the FIR itself shows that recovery is from the house of Amarjeet Singh and the Poultry Farm of Satyendra Singh (petitioner no.2) and the petitioner no.1 is also named in the FIR.

Having heard both sides and considering the facts and circumstances of the case so far petitioner no.1 Awadh Bihari Singh is concerned, let the petitioner no.1, above named, surrender before the court below within a period of six weeks from the date of order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II cum Special Judge (Excise) Rohtas, Sasaram in connection with Dawath P.S.Case No.28 of 2019 dated 12.-02-2019, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no.2 Satyendra Singh alias Musha is



concerned, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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