

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36016 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- PURAINI District- Madhepura

1. PRADEEP KUMAR SINGH @ PRADEEP KUMAR Son of Late Gore Lal Singh Resident of Village- Alam Nagar Ward No. 7, P.S.- Alam Nagar, District- Madhepura.
2. Raja Kumar Son of Tilo Singh Resident of Village- Alam Nagar Ward No. 7, P.S.- Alam Nagar, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 25-09-2019 Petitioners seek bail in anticipation of their arrest in connection with Excise Case No. 594 of 2019, arising out of Puraini P.S. Case No. 79 of 2019, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

Allegation is of recovery of liquor from a tempo and it is alleged that local people disclosed the name of the petitioners and others, who succeeded in fleeing away.

Submission of learned counsel for the petitioners is that they have falsely been implicated and there is no source of identification to the police and petitioner No.2 has no criminal antecedent.



Heard learned APP also.

In view of above facts and circumstances, let petitioner No.2, in the event of arrest or surrender, 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 the Additional District Judge-II, Madhepura, in connection with Excise Case No. 594 of 2019, arising out of Puraini P.S. Case No. 79 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

So far petitioner No.1 is concerned, in view of allegation and criminal antecedent, his prayer for anticipatory bail is rejected. He should surrender and pray for regular bail, which shall be considered on its own merit and to be disposed of without being prejudiced by this order.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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