

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47901 of 2019

Arising Out of PS. Case No.-387 Year-2019 Thana- LAKHISARAI District- Lakhisarai

1. Rajesh Kumar, Home Guard No.440827, Son of Jageshwar Mahto, Resident of Village - Bellouri, P.S.- Lakhisarai, Dist.- Lakhisarai.
2. Rahul Kumar, Home Guard No.440898, Son of Dinesh Prasad Singh, Resident of Village - Damodarpur, P.S.- Lakhisarai, Dist.- Lakhisarai.
3. Panjabi Kumar, Home Guard No.440834, Son of Ganouri Yadav, Resident of Village - Damodarpur, P.S.- Lakhisarai, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra, Adv.

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 16-11-2019 The petitioners seek bail in anticipation of their arrest in connection with Lakhisarai P.S. Case No. 387 of 2019, dated 17.05.2019, instituted for the offences under Sections 341, 342, 388 and 389/34 of the Indian Penal Code and Sections 50(d)/51 of the Bihar Prohibition and Excise Act.

The accusation against the petitioners is that they, despite being members of the Home Guard, presented themselves in civil dress and intercepted one person who



was found to be in possession of liquor which is prohibited in the State of Bihar. However, the aforesaid person was allowed to go after the petitioners extracted Rs. 15,000/- from him.

Considering the accusation against the petitioners, I am not inclined to grant anticipatory bail to them.

The prayer for anticipatory bail is, accordingly, rejected.

However, should the petitioners surrender before the Court below within a period of four weeks and seek regular bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

Praveen-II/-

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