

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50589 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- SANDESH District- Bhojpur

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SANJAY YADAV @ CHUHARI Son of Nepali Yadav Resident of Village -
Dhana, P.S.- Kanpa (Rani Talab), Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-08-2019

This application, for grant of anticipatory bail, arises out of Sandesh P.S. Case No. 95 of 2019, disclosing offences under Sections 353, 504 and 506 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016

Prosecution case is that police conducted a raid near the bank of some river and on seeing the police several persons including petitioner fled away and on search 45 litres of mahua liquor has been recovered and further there is allegation of obstructing the police in discharge of their official duty and further petitioner is accused in one more case of similar nature.

Submission of learned counsel for the petitioner is that he has falsely been made accused in this case and though he is accused in one more case but the same has been lodged after institution of the present case. Further submission is that



similarly situated co-accused, has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 05.07.2019 passe din Cr. Misc. No. 41629 of 2019.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances and also the fact that co-accused having similar allegation has already been granted the privilege of anticipatory bail, as such, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge, Excise Act, Bhojpur at Ara, in connection with Sandesh P.S. Case No. 95 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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