

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52068 of 2019

Arising Out of PS. Case No.-151 Year-2019 Thana- LAXMIPUR District- Jamui

-
1. GOVIND SAH Son of Sadanand Sah Resident of Navdihawa, P.S.- Laxmipur, District- Jamui.
 2. Gura Kora Son of Shivu Kora @ Shibu Koda Resident of Navdihawa, P.S.- Laxmipur, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-11-2019 This application, for grant of anticipatory bail, arises out of Laxmipur P.S. Case No. 151 of 2019, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition of Excise Act, 2016.

Allegation as per F.I.R. is that police on information that accused persons are engaged in manufacturing the liquor in jungle, raided the jungle, however, on seeing the police accused persons succeeded in fleeing away and from the jungle, huge quantity of liquor has been recovered.

Submission of learned counsel for the petitioners is that they have falsely been implicated in this case and there is no recovery either from their house or at their instance.

Learned counsel for the State opposed the prayer for



anticipatory bail on the ground that petitioner have suppressed the fact with regard to criminal antecedent as petitioner no. 1 is accused in one more case of similar nature but he has not disclosed the said fact in his petition.

Having heard both sides, considering the facts and circumstances, so far petitioner no. 1 is concerned, I am not inclined to grant him the privilege of anticipatory bail rather he has to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

However, so far petitioner no. 2 is concerned, considering the facts and circumstances, in the event of his arrest or surrender before the court below within six weeks, he is directed to 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 A.D.J- II, Jamui in connection with Laxmipur P.S. Case No. 151 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

