

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65637 of 2019

Arising Out of PS. Case No.-416 Year-2017 Thana- BARAUNI District- Begusarai

1. RINKU KHAN @ ISHAN KHAN @ EHSAN KHAN Son of Mohammad Hira Khan @ Md. Khurshid Khan Resident of Village - Deonah Ward No.4, Bihar Shoe House, P.S.- Barauni, (Refinery O.P), Dist.-Begusarai.
2. Pinku Khan @ Md. Nause Khan @ Md. Nause Rabbani Son of Mohammad Hira Khan @ Md. Khurshid Khan Resident of Village - Deonah Ward No.4, Bihar Shoe House, P.S.- Barauni, (Refinery O.P), Dist.-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-11-2019 Learned counsel for the petitioners has filed the supplementary affidavit. Let it be kept on record.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 272, 273, 420, 34 of the Indian Penal Code and Section 30(a), 38 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners are not named in the F.I.R. and they have no concern with respect to the alleged recovery of liquor. It is submitted that the name of the petitioners have come during course of



investigation and these petitioners have been made accused only on the basis of the letter written by one Fulena Rai on 06.11.2017 from the jail just after seven days from the date of registration of F.I.R. who was arrested in the place of occurrence. He submits that co-accused Fulena Rai has already been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 13727 of 2018 on 09.03.2018. He further submits that petitioners have no criminal antecedent.

In the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Bihar Prohibition and Excise Act, 2016, Begusarai in connection with Barauni Police Station Case No. 416 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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