

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1134 of 2019

Arising Out of PS. Case No.-256 Year-2017 Thana- AKBARPUR District- Nawada

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1. Shankar Kumar S/O Hira Lal Yadav
 2. Surendra Yadav S/o Shobhi Yadav Both are Resident of Village- Loh Singhna
P. S. Akbarpur District Nawadah

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-01-2019 The petitioners apprehend their arrest in connection with Akbarpur P.S.Case No. 256 of 2017 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation as per the FIR is of recovery of 20 litres of country made liquor from the possession of petitioners. It is submitted that petitioner no. 1 has earlier remained accused in similar type of case but by mistake, criminal antecedent about him in para-3 of the bail application has not been mentioned though petitioner no. 2 has no criminal antecedent.

Submission of learned counsel for the petitioners is that recovery is from joint house of the petitioners.

Heard learned APP also.

Having heard both sides and in the facts and



circumstances, as stated above, so far as petitioner no. 1 is concerned, I am not inclined to grant privilege of anticipatory bail to him. However, he is directed to surrender and make prayer for regular bail which shall be considered on its own merit without being prejudiced by this order.

So far as petitioner no. 2 is concerned, he, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II-Cum-Special Judge, Nawada in connection with Akibarpur P.S. Case No. 256 of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, this application stands disposed of with the above direction.

(Vinod Kumar Sinha, J)

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