

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75378 of 2019

Arising Out of PS. Case No.-123 Year-2019 Thana- TARARI District- Bhojpur

1. Harendra Singh @ Harendra Kumar Singh Son of Devanand Singh Resident of Village - Karath, P.S.- Tarari, Distt.- Bhojpur.
2. Manu Singh @ Abhimanyu Singh Son of Kashi Nath Singh @ Nagendra Singh Resident of Village - Karath, P.S.- Tarari, Distt.- Bhojpur.
3. Madhu Singh Son of Ramanand Singh Resident of Village - Karath, P.S.- Tarari, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Tarari P.S. Case No. 123 of 2019, registered under Section 30 (a) (b) (c) of the Bihar Prohibition and Excise Act.

The accusation is that on receiving secret information about preparing of Mahua liquor at Banas River at village Karath by 11 persons named in the FIR including the petitioners, the informant along with other police personnel reached there. On seeing the police party, 10 to 12 persons started to flee away, but on chase, two persons were



apprehended, while others succeeded to flee away. Both apprehended persons disclosed their names as Dharmendra Kumar Singh and Tara Singh and also disclosed the name of 9 persons including the petitioners, who succeeded to flee away. On search, 50 litres of country made liquor kept in one jerkin along with instruments for preparing of liquor were recovered from the *Bathi*.

Learned counsel for the petitioners submits that the petitioners were not apprehended at the spot but their names have been disclosed by co-accused, namely, Dharmendra Kumra and Tara Singh, who were apprehended by the police. The petitioners have no criminal antecedent. It is further submitted that co-accused Lalan Singh, Lathi Singh and Amit Singh, have already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 23.08.2019 passed in Cr. Misc. No. 52589 of 2019.

Having regards to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 4th



Additional District Judge-cum-Special Judge, Bhojpur at Ara in connection with Tarari P.S. Case No. 123 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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