

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4158 of 2022

Arising Out of PS. Case No.-109 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Avinash Kumar Son of Naresh Singh @ Naresh Kumar Singh Resident of Village - Adharpur, Ward No. 12, P.S. - Muffasil, District - Samastipur.
 2. Ramprit Singh Son of Leela Singh Resident of Village - Adharpur, Ward No. 12, P.S. - Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr.Raja Ram Mishra, Advocate

For the Opposite Party : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 21-02-2022 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Samastipur Mufassil P.S. Case No.109 of 2021 registered for offences under Sections 504, 506 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Considering fact that petitioner no.1 is serving as army personnel in Indian Armed Force and recovery of only



180 Ml liquor is not from conscious possession of the petitioner no.2 and petitioner no.2 has been falsely implicated in this case due to previous enmity, the appreciation for anticipatory bail is allowed.

Accordingly, let petitioners, above-named, in the event of their arrest or surrender within six weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of ADJ-II-cum-Special Judge, Excise Act, Samastipur in connection with xxx Case No. 456 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It is made clear that bail bond of petitioner no.1 shall be accepted by the court below as and when his leave is granted by the official of the Indian Military Force.

(Sandeep Kumar, J)

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