

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28364 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Wakil Rai, son of Yogendra Rai,
2. Sanjay Sah, son of Ramshrya Sah,
Both resident of Village- Pakariya, P.S.- Madhuban, District- East
Champanan.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 13-07-2017 Heard Sri Karandeep Kumar, learned counsel for the
petitioners and Sri Madhuranand Jha, learned Addl. Public
Prosecutor.

Two petitioners have approached this Court for grant
of anticipatory bail in Madhuban P.S. Case No. 85 of 2017 (G.R.
Case No. 2113 of 2017) registered for offence under Sections 272,
273, 188 of the Indian Penal Code and Sections 30(A), 38(A),
38(B) and 38(C) of the Bihar Prohibition and Excise Act, 2016.

It was submitted by learned counsel for petitioners
that it is a peculiar case, in which though huge quantity of foreign
liquor was recovered from a room of Panchayat Bhawan, the
police instead of impleading the Mukhiya and the Panchayat



Secretary as accused, has implicated two petitioners, who are of different village, and other two persons in the present case.

In view of fact disclosed in the F.I.R., which categorically describes that huge quantity of foreign liquor was recovered from the premises of Panchayat Bhawan and both the petitioners are of different village, there is no reason to refuse the prayer for anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let both the petitioners namely Wakil Rai and Sanjay Sah be enlarged on bail on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - IVth, East Champaran at Motihari in connection with Madhuban P.S. Case No. 85 of 2017 (G.R. Case No. 2113 of 2017), subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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