

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 35467 of 2018

Arising Out of PS. Case No.-122 Year-2018 Thana- Piro District- Bhojpur

-
1. Jitendra Yadav @ Jitu Yadav, S/o Ram Surat Yadav,
2. Ashis Kumar Singh @ Ashis Kumar Singh @ Pintu Singh @
Pintu Yadav, S/o Sheo Ji Singh,
Both are resident of Vill.- Balua Tola, P.S.- Piro, Dist- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 27-06-2018 Heard Sri Rajani Ranjan Prasad Singh, learned
counsel for the petitioners and learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Excise Case No. 662 of 2018, arising out of Piro P.S. Case No. 122 of 2018 registered for offence under Sections 30(a), 47 of Bihar Prohibition and Excise Act, 2016 have prayed for grant of bail in the event of their arrest or surrender.

Learned counsel for the petitioners, by way of referring to F.I.R., submits that nothing was recovered from conscious possession of the petitioners. He submits that as per F.I.R., from the *khalihan* of one Ashagun Yadav, huge quantity of Indian make foreign liquor, concealed in straw, was recovered and both petitioners, only on suspicion, were made accused in the present



case. It has also been argued that surprisingly, police had claimed to identify both petitioners in the light of the vehicle.

However, on going through the material on record, particularly paragraph – 3 of the petition, it is evident that petitioners were accused in number of cases and as such, the submission of learned counsel for the petitioners questioning identification of petitioners in the light of vehicle is not sustainable. Moreover, on going through the F.I.R., the Court is satisfied that there is specific case against both the petitioners and as such, there is no reason to pass favourable order.

The prayer for anticipatory bail stands dismissed.

(Rakesh Kumar, J.)

anay

U		T	
---	--	---	--

