

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15080 of 2019

Arising Out of PS. Case No.-209 Year-2018 Thana- GORIAKOTHI District- Siwan

1. Santosh Prasad, Son of Late Swaminath Prasad, Resident of Village - Saidpura, P.S.- Goreakothi, Distt - Siwan.
2. Sahabuddin, Son of Najamudin, Resident of Village - Saidpura, P.S.- Goreakothi, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-07-2019 This is an application for grant of anticipatory bail in connection with Goreakothi P.S. Case No. 209 of 2018, disclosing offence under Sections 30 (a) & 41 (1) of the Bihar Prohibition and Excise Act, 2016.

Prosecution story disclosed that police received a secret information that petitioners along with one Veera Yadav have brought the foreign liquor and on that, police party proceeded the place of occurrence and arrested Veera Yadav and other persons succeeded in fleeing away. Further allegation is that from the house of Veera Yadav 39.060 liters of foreign liquor was recovered. It further appears that petitioner no.1 is also an accused in two other cases and petitioner no.2 is having one more case.



Submission of the learned counsel for the petitioners is that no recovery was made from the house of the petitioners and they have falsely been implicated in this case only on the basis of suspicion and except the confessional statement, nothing is against the petitioners.

Heard learned A.P.P. also.

Having heard both sides, in view of the allegation and the considering the criminal antecedent of the petitioners, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below and make prayer for regular bail, the same shall be considered by the learned court below on its own merit, without being prejudiced by order of this Court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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