

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18961 of 2019

Arising Out of PS. Case No.-205 Year-2018 Thana- RAGHUNATHPUR District- Siwan

1. RANJAY RAM Son of Late Manan Ram Resident of Village - Tari Bazar, P.S.- Raghunathpur, Distt - Siwan.
2. Janak Ram Son of Late Ramlochan Ram Resident of Village - Tari Bazar, P.S.- Raghunathpur, Distt - Siwan.
3. Wakil Yadav Son of Goganath Yadav Resident of Village - Tari Bazar, P.S.- Raghunathpur, Distt - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-04-2019 This application, for grant of anticipatory bail, arises out of Raghunathpur P.S. Case No. 205/18, disclosing offences under Sections 30(c)(d)/36/38/41(1) of the Bihar Prohibition of Excise Act, 2016.

Allegation as per F.I.R. is that police on information reached at Tari Bazar and after seeing the police petitioner no. 1 and 2 fled away and on search 7.20 litres of liquor was recovered from kiosk of petitioner no. 1 and there is recovery of 120 ML from petitioner no. 2, thereafter, petitioner no. 3 also after seeing the police fled away and on search of thatched hut in straw of paddy 8.460 litres of liquor has been recovered.



Submission of learned counsel for the petitioners is that they have falsely been roped in the present case and in fact no recovery has been made either from the possession or from the house of the petitioners. Statement has been made in paragraph – 3 that petitioners have no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the fact and circumstances of the case, quantity of recovery as well as the fact that petitioners have no criminal antecedent, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II -cum-Special Judge, Excise, Siwan, in connection with Raghunathpur P.S. Case No. 205/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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