

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25833 of 2019

Arising Out of PS. Case No.-285 Year-2018 Thana- SASARAM MUFFSIL District- Rohtas

1. DULDUL KUMAR Son of Late Bachhan Singh Resident of Village - Mishripur, P.S.- Sasaram (M), District- Rohtas
2. Bablu Kumar Son of Late Bachhan Singh Resident of Village - Mishripur, P.S.- Sasaram (M), District- Rohtas
3. Rakesh Kumar Son of Ramadhar Mahto Resident of Village - Mishripur, P.S.- Sasaram (M), District- Rohtas
4. Sravan Kumar Son of Ramadhar Mahto Resident of Village - Mishripur, P.S.- Sasaram (M), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-06-2019 This application, for grant of anticipatory bail, arises out of Sasaram (M) P.S. Case No. 285/18, disclosing offences under Sections 30(a) of the Bihar Prohibition of Excise Act, 2016.

Petitioners are named in the F.I.R. and prosecution story is that police on information that petitioner no. 2 along with other petitioners were unloading the illegal liquor and they are attempting to hide the same in field behind the house of petitioner Rakesh Kumar and Sravan Kumar and they were also engaged in sell of liquor, raided the place and on seeing the



police party all the accused persons fled away taking the benefit of dark. The police seized two cartoon of liquor having 24 bottles of 375 M.L. each near the door of the petitioner Rakesh Kumar and Sravan Kumar and police further seized 11 cartoon of liquor having 24 bottles of 375 M.L. each from the filed behind the house of petitioner Rakesh Kumar.

Submission of learned counsel for the petitioners is that nothing has been recovered form the petitioners and they have falsely been implicated in this case and has no concern with the alleged recovery.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, so far petitioner no. 3, namely, Rakesh Kumar is concerned, I am not inclined to grant him the privilege of anticipatory bail rather he may surrender before the court below and pray for regular bail, which will be disposed of by the court below on the merit of the case.

So far other petitioners, i.e. petitioner nos. 1, 2 and 4 are concerned, in the event of their arrest or surrender before the court below within six weeks, they are directed to 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, Rohtas at Sasaram, in connection with Sasaram (M) P.S. Case No. 285/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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