

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35895 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

1. JAY PRAKASH CHAUDHARY @ JAY PRAKASH PASI @ PRAKASH PASI Son of Satya Narayan Singh @ Satyanarayan Chaudhary Resident of Village - Medanipur, P.S.- Sasaram (M), Distt - Rohtas.
2. Dhanjee Singh Son of Late Ramanand Singh Resident of Village - Lerua, P.S.- Sasaram (M), Distt - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 13-09-2019 This application, for grant of anticipatory bail, arises out of Sasaram (M) P.S. Case No. 76/2019, disclosing offences under Sections 30 (a) of the Bihar Prohibition of Excise Act, 2016.

Prosecution case is that the police got information that petitioner has concealed huge quantity of liquor into a ditch and on that information police reached at the place of occurrence and on seeing the police accused persons including petitioners fled away. Thereafter the said cemented ditch was searched and recovery of 140 cartoons each containing 180 M.L. liquor and 48 bottles each containing 180 M.L. foreign liquor was made.

Submission of learned counsel for the petitioners is



that they have no criminal antecedent and have falsely been implicated in this case and the source of information has not been disclosed.

Learned counsel for the State opposed the prayer for bail and submitted that huge quantity of liquor has been recovered from the ditch and petitioners succeeded in fleeing away.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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