

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40364 of 2019

Arising Out of PS. Case No.-245 Year-2019 Thana- SONEPUR District- Saran

1. SHESH NATH RAI @ FITI RAI Son of Supan Rai, Resident of Village - Sabalpur Hasti Tola (Naursia), P.S.- Sonepur, District - Saran.
2. Mahesh Rai Son of Supan Rai, Resident of Village - Sabalpur Hasti Tola (Naursia), P.S.- Sonepur, District - Saran.
3. Somnath Rai Son of Supan Rai, Resident of Village - Sabalpur Hasti Tola (Naursia), P.S.- Sonepur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Anand
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Sonepur P.S. Case No. 245 of 2019 registered for offence punishable under section 30 (A) of the Bihar Prohibition and Excise Act, 2016.

On the eve of general election, the police has received information that Supan Rai, Shesh Nath Rai, Somnath Rai and Dilip Rai in order to influence the electorate, has stocked the illegal liquor and on that information, the police came in action and raided the house of Supan Rai, from there



huge quantity of liquor has been recovered and all the persons were there in the house fled away from there and accordingly the seizure list has been made.

The learned counsel for the petitioner submits that the house from where the liquor was seized, was an abandoned house and no one was present at the time of raid and the petitioner has wrongly been implicated in the present case.

Looking to the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, if the petitioner surrenders and prays for regular bail, the court below without being prejudiced by this order, will take decision in accordance with law.

(Shivaji Pandey, J)

Mahesh/-

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