

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42661 of 2019

Arising Out of PS. Case No.-607 Year-2018 Thana- JAYNAGAR District- Madhubani

1. BINOD RAM S/o Parmeshwer Ram
2. Dinesh Ram S/o Mangan Ram
Both R/o village- Goth Tole Korhaiya, P.S.- Jai Nagar, District- Madhubani
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 27-09-2019 The petitioners apprehend their arrest in connection with Jainagar P.S.Case No. 607 of 2018 registered under Sections 272, 273 and 414/34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioners, as per FIR, is that the police intercepted four motorcycles and arrested one person and recovered a total quantity of 327 litres illicit Nepali Saufi liquor from the motorcycles. It has further been alleged that the petitioners fled away from the place of occurrence and the arrested co-accused Laxmi Ram disclosed the names of the petitioners before the police.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case with oblique motive inasmuch as petitioners have got no criminal antecedents



and no illicit liquor has been recovered from the possessions or vehicles belonging to the petitioners. Learned counsel relying on paragraph 10 of this application, submits that four seized motorcycles do not belong to the petitioners.

Having regard to the submissions made by the parties and taking into consideration the fact that no recovery has been made from the possession of the petitioners and they are not the owners of the seized motorcycles, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Jainagar P.S. Case No. 607 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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