

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41327 of 2019

Arising Out of PS. Case No.-124 Year-2019 Thana- NADI P.S. District- Patna

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1. RAHUL KUMAR @ RAHUL YADAV S/o Umesh Prasad Yadav @ Kapil Rai
 2. Nagendra Kumar S/o Gena Rai
Both R/o village- Jethuli, P.S.- Nadi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar
For the Opposite Party/s : Mr.Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 20-09-2019 The petitioners apprehend their arrest in connection with Special Case No. 4779 of 2019 arising out of Nadi P.S.Case No. 124 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise Act (hereinafter referred to as the ‘Act’).

Allegation against the petitioner, as per FIR, is that the police party, got information that the petitioners have kept foreign liquor for the purpose of selling it, proceeded towards the place of occurrence and recovered a total quantity of 630 litres illicit foreign liquor from an under constructed house beside the house of one Gena Rai.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case on the basis of secret information inasmuch as no illicit liquor has been



recovered from the conscious possession or premises belonging to the petitioners. He further submits that illicit liquor has been recovered from under constructed house beside the house of Gena Rai and that under constructed house does 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 conscious possession or house/premises belonging to the petitioners and petitioners have got no criminal antecedent 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 Special Judge, Excise, Patna in connection with Nadi P.S.Case No. 124 of 2019; 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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