

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50786 of 2019

Arising Out of PS. Case No.-132 Year-2019 Thana- KARJA District- Muzaffarpur

1. KUNDAN KUMAR Son of Ram Pukar Ray Resident of Village - Raksa, P.S.- Karja, District - Muzaffarpur
2. Shakti Suman @ Munna Kumar Yadav Son of Balram Rai Resident of Village - Raksa, P.S.- Karja, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-08-2019 This application, for grant of anticipatory bail, arises out of Karza P.S. Case No. 132/2019, disclosing offences under Sections 30(a) and 38 of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 129.750 litres of liquor and petitioners are named in the F.I.R. Apart from that petitioners are accused in other cases of similar nature also.

Submission of learned counsel for the petitioners is that they have been implicated at the instance of wife of District Cooperative Officer, who is a jailor, as earlier the petitioners have lodged a case against the District Cooperative Officer. Further submission is that all other cases have also been lodged



against the petitioners at the instance of wife of District Cooperative Officer.

Learned counsel for the State opposed the prayer for bail and submitted that *prima facie* case is made out against the petitioner.

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, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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