

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46987 of 2019

Arising Out of PS. Case No.-185 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

-
1. Gautam Ram, Son of Sheopujan Ram, Resident of Village - Purani Chauk, Gopalganj, P.S.- Town Gopalganj, District- Gopalganj
 2. Sandeep Ram, Son of Sheopujan Ram, Resident of Village - Purani Chauk, Gopalganj, P.S.- Town Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Gopalganj Excise Case No.185 of 2019, for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners, as mentioned in the FIR, is that the police raided shop(Gumti) situated outside the house of the petitioners and recovered total quantity of 32.580 litres of illicit foreign liquor.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case and they



have got no criminal antecedent. Learned counsel further submits that from perusal of the seizure list, it would be evident that name of the accused persons is Sheopujan Ram, who is father of the petitioner and it has been alleged that from the Gumti of father of the petitioner, the illicit liquor has been recovered. Learned counsel further submits that entire family including father have been made accused and the father of the petitioners is in jail.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that from perusal of the seizure list, the name of the accused has been mentioned as Sheopujan Ram, who is father of the petitioners and from the description in the seizure list, it appears that owner of the Gumti is the father of the petitioners, accordingly, on perusal of the prosecution report and seizure list, no prima facie case is made out against the petitioners, as such, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court



below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Gopalganj, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

