

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51774 of 2019**

Arising Out of PS. Case No.-57 Year-2019 Thana- HATHAURI District- Samastipur

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1. Amit Kumar Ray, Son of Amarnath Ray, Resident of Village-Banda, P.S.- Shivajinagar, District-Samastipur.
  2. Bambam Kumar Ray, Son of Amarnath Ray, Resident of Village-Banda, P.S.-Shivajinagar, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      04-11-2019                      This is an application for grant of anticipatory bail in connection with Hathauri P. S. Case No. 57 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per F.I.R. Police got an information that huge quantity of liquor has been brought by the truck and they have uploaded the liquor in the Orchard. On that information, police raided the place and recovered huge quantity of liquor and it is alleged that petitioners were succeeded in fleeing away.

Submission of the learned counsel for the petitioners is that only on suspicion, petitioners have been named in the F.I.R. no source of information has been mentioned in the F.I.R. Petitioners are neither owner of the truck nor they have any link



with the seized liquor. Further submission is that they have no criminal antecedent.

It has also been submitted that one of the co-accused has been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 24.07.2019 passed in Criminal Misc. No. 45794 of 2019

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur, in connection with Hathauri P. S. Case No. 57 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

**(Vinod Kumar Sinha, J)**

Sunil Shukla/-

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