

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53518 of 2019

Arising Out of PS. Case No.-211 Year-2016 Thana- RAJAOLI District- Nawada

-
1. MAHENDRA RAJBANSHI S/o Jagdish Rajbanshi R/o village- Khasaund, P.S.- Sirdala, Distt.- Nawada
 2. Upendra Rajbanshi S/o Baleshwar Rajbanshi R/o village- Khasaund, P.S.- Sirdala, Distt.- Nawada

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar
For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-08-2019 Petitioners seek bail in anticipation of their arrest in connection with Rajauli P.S. Case No. 211 of 2016 registered for the offence punishable under Section 47(a) of Bihar Excise (Amendment) Act, 2016.

Prosecution story is that police raided the mango orchard on the information that miscreants are manufacturing liquor and on seeing the police party they succeeded in fleeing away and two independent witnesses have named the petitioners and other accused persons that they are engaged in manufacturing liquor and from there 100 kg. of Manua flower was recovered which was destroyed and 40 litres of Manua liquor was recovered.



Submission of learned counsel for the petitioners is that seizure list shows that recovery is from the vatti running by one Karu Choudhary and petitioners have no criminal antecedent.

Heard learned APP, who has opposed the prayer for anticipatory bail stating that name of petitioners transpired in the disclosure made by independent witnesses, as such there is prima facie case against the petitioners.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioners. They may surrender and pray for regular bail, which shall be considered on its own merit and, if possible, to be disposed of on the same day.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

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

