

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57225 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- SARAI RANJAN District- Samastipur

1. VIPIN KUMAR @ SONU RAJ S/o Late Ram Sunder Mahto R/o village- Chakbahauddin, P.S.- Dalsingsarai, District- Samastipur
2. Santosh Kumar @ Santosh Kumar Mahto S/o Ram Sevak Mahto R/o village- Ghatho, P.S.- Ghatho, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-09-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sarairanjan Police Station Case No. 110 of 2019, disclosing offences under Sections 272/273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners, as per the First Information Report, is that the police, after getting a secret information, reached near the poultry form of one Chandragupt Kumar Singh and saw three cars standing in front of the poultry form, from where some persons started fleeing away, out of



whom two persons were apprehended by the police. It has further been alleged that on enquiry, the arrested persons disclosed the name of the petitioners and others. The police also recovered 78 litres of illicit liquor from the said cars.

Learned Counsel for the petitioners submits that the petitioners have no criminal antecedent and have falsely been implicated in this case merely on the basis of statement made by the arrested persons. He submits that the cars, from which illicit liquor was recovered, do not belong to the petitioners.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioners are not the owners of cars and they have no criminal antecedent, I am inclined to grant the petitioners privilege of anticipatory bail.

Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Samastipur, in connection with Sarairanjan Police Station Case No. 110 of 2019, subject to the condition laid down under Section 438 (2) of the Code of



Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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