

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4321 of 2019

Arising Out of PS. Case No.-292 Year-2018 Thana- SAHPUR District- Bhojpur

1. Jaga Singh son of Laxman Singh Resident of Village-Dhamaur, P.S.- Shahpur, District - Bhojpur
2. Surendra Singh son of Late Ekram Singh Resident of Village- Dhamaur, P.S.- Shahpur, District - Bhojpur
3. Arvind Pandey son of Ramayan Pandey Resident of Village- Sunki, P.S.- Sahahpur, District- Bhojpur
4. Keslju Singh son of Sheojee Singh Resident of Village- Horli, Chhapara, P.S.- Shahpur, District- Bhojpur
5. Raj Kishore son of Chaudhary Dinanath Chaudhary Resident of Village- Suhiya, P.S.-Shahpur, District - Bhojpur
6. Sunil Pandey son of Sidhnath Pandey Resident of Village-Bhiwawali, P.S.- Buxar, District - Buxar
7. Rohit Ray @ Roit Ray son of Nageshwar Ray Resident of Village- Jawahi Jagdishpur, P.S.- Barahampur, (Barahampur), District - Buxar

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-03-2019 This application, for grant of anticipatory bail, arises out of Shahpur P.S. Case No. 292/18, disclosing offences under Sections 30 of the Bihar Prohibition of Excise Act, 2016.

Police on secret information raided an orchard and alleged to have recovered more than 1800 litres of foreign liquor and the accused persons including petitioners succeeded in fleeing away and chowkidar named the petitioners as the



persons, who fled away.

Submission of learned counsel for the petitioners is that nothing has been recovered from their possession or from their house rather recovery has been made from an open place. Statement has been made in para -3 of the petition that petitioners have no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case and the quantity of recovery, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather they should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below shall dispose of the same on the merit of the case, if possible on same day, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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