

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61798 of 2019

Arising Out of PS. Case No.-669 Year-2019 Thana- SHASTRINAGAR District- Patna

1. SANTU BIND Son of Late Sita Ram Bind Resident of Shekhpura Bind Toli, Jhoparpatti, P.S.-Shastri nagar, District-Patna.
2. Pintu Bind Son of Late Sita Ram Bind Resident of Shekhpura Bind Toli, Jhoparpatti, P.S.-Shastri nagar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Sharan Singh

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Shastri Nagar P.S. Case No.669 of 2019/Special Case No.7012 of 2019 registered under Section 30(a) of the Excise Act, pending in the court of the Special Judge, Excise, Patna.

The accusation is of recovery of 9 bottles, each containing 250 ml. country made liquor, from the Kabari shop, situated at the hut of the petitioners.

Learned counsel appearing on behalf of the petitioners submits that, in fact, the petitioners used to collect the garbage in the Kabari shop, situated in their hut, from where



the alleged recovery is said to be made but the same is easily accessible to any person. While the petitioner no.1 is accused in three other cases and the petitioner no.2 is accused in two other cases of similar nature but in those cases, they are on bail.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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