

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80312 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- DARIYAPUR District- Saran

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1. ANIL RAI S/O Yogendra Rai Resident of Village Tarwa Mangarpal, P.S.-
Dariyapur, District- Saran.
 2. Ramesh Rai Son of Ramdev Rai Resident of Village Tarwa Mangarpal, P.S.-
Dariyapur, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-12-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners apprehend their arrest in a case registered
under Sections 272, 273/34 of the Indian Penal Code and 30(a),
33, 36, 38 of the Bihar Prohibition and Excise Act, 2016.

Informant who is the police officer has alleged that
he received an information that near Gandak river Ramesh Rai
and Anil Rai (petitioners) are preparing illicit liquor and as they
reached there both of them fled away and from said place 35
litres of illicit liquor was recovered and liquors and materials
kept for preparing liquor was destroyed.

It has been submitted on behalf of petitioners that they



have been falsely implicated in this case due to animosity at the instance of their opponents. Nothing was recovered from their possession and they have no criminal antecedents. No offence under the excise act is made out against them.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioners named above in the event of arrest or surrender before the court below within four weeks from today, Petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Dariyapur P.S. Case No. 79 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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