

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74968 of 2018

Arising Out of PS. Case No.-366 Year-2018 Thana- KHAIRA District- Jamui

-
1. Manohar Rai and Anr S/o Late Ram Bali Rai
 2. Shiv Kumar Rai S/o Manohar Rai Both are resident of Bidhupur
P.S.Bidhupur,Distt.-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Sri Amrendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioners and

learned counsel for the State.

The petitioners are apprehending their arrest in connection with Khaira P.S. Case No.366 of 2018 registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and 30(a), 38(1) of Bihar Prohibition of Excise Act, 2016.

From the vehicle registered in the name of petitioner No.1, 30 litres of foreign liquor were recovered. Petitioner No.2 is son of petitioner No.1.

Learned counsel for the petitioner submits that the vehicle was being driven by the driver. Sheo Kumr was apprehended who suggested that name of the petitioners who



escaped from the scene. It is further submitted by learned counsel for the petitioners that the petitioners were actually not present in the vehicle in question. It is further submitted that the petitioners have no criminal antecedent, as statement made in para 3 of the bail petitioners.

Learned A.P.P. has vehemently opposed the prayer for bail and submits that the recovery has been made from the vehicle of the petitioner.

Considering the fact that the recovery has been made from the conscious possession of the petitioners, coupled with the fact that the petitioners are not having criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ 2nd, Jamui in connection with Khaira P.S. Case No.366 of 2018.

(Dinesh Kumar Singh, J)

sanjeev/-

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

