

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70169 of 2019**

Arising Out of PS. Case No.-633 Year-2019 Thana- SARAIYA District- Muzaffarpur

1. SANJAY RAY Son of Late Sita Ram Ray Resident of Village - Manikpur, P.S.- Saraiya, Distt - Muzaffarpur.
2. Mukesh Ray Son of Late Sita Ram Ray Resident of Village - Manikpur, P.S.- Saraiya, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      15-11-2019                      Heard the parties.

The petitioners are apprehending their arrest in connection with Saraiya P.S.Case No.633 of 2019 , registered for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per FIR, police on information of keeping of liquor by the accused persons including the petitioners raided the house of the father of the petitioners and from behind their house adjacent to the toilet altogether 61.980 ltrs. of foreign liquor was recovered and the petitioners were found absconding.

Submission of the learned counsel for the petitioners is that they have been falsely implicated in this case and even



according to the FIR, nothing has been recovered from the house rather from the open place and the petitioners have no criminal antecedent.

Heard learned A.P.P. , who has opposed the prayer for bail. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

**(Vinod Kumar Sinha, J)**

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