

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71789 of 2019

Arising Out of PS. Case No.-109 Year-2019 Thana- SIWAIPATTI District- Muzaffarpur

1. Sunil @ Meth @ Sunil Kumar, Son of Shambhu Rai, Resident of Village - Bubaha, P.S.- Minapur, District - Muzaffarpur.
2. Nawal Rai, Son of Suhag Rai, Resident of Village - Bubaha, P.S.- Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 272, 273, 420/34 of the Indian Penal Code and Sections 30 & 30(a) of Bihar Prohibition and Excise Act, 2016.

It is alleged that from a truck, 414 litres of Indian Made Foreign Liquors were recovered. One chase one Mandip Singh was apprehended who disclosed the name of the petitioners as the persons for whom the consignment of the said liquor was being brought.

It is submitted by learned counsel for the petitioners



that the recovery has not been made from the conscious physical possession of the petitioners. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the apprehended co-accused disclosed the name of the petitioners as the persons for whom the consignment was to be transported.

Considering the fact that the recovery has not been made from the conscious physical possession of the petitioners and statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Siwaipatti P.S. Case No. 109 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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