

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76497 of 2019

Arising Out of PS. Case No.-441 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Ram Keshwar Singh S/o Late Satish Singh R/o village- Pansalla, P.S.- Begusarai Mufassil (Lakho O.P.), District- Begusarai
 2. Gaurav Singh S/o Ram Keshwar Singh R/o village- Pansalla, P.S.- Begusarai Mufassil (Lakho O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Singh, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Begusarai Mufassil (Lakho O.P.) P.S. Case No. 441 of 2019, (G.R. No. 688 of 2019) registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

The allegation is regarding the police having received secret information that the petitioners have kept foreign wine for sale in the land of one Arjun Singh in which Janera crop has been growing and upon search 91 liters of illicit liquor was recovered.



The learned counsel for the petitioners has submitted that neither any recovery has been made from the possession of the petitioners nor from their house nor the field in question, from where the illicit liquor has been recovered, belongs to the petitioners, hence no offence is made out under the provisions of the Bihar Prohibition and Excise Act, 2016.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd -cum-Special Judge Excise Act, Begusarai in connection with Begusarai Mufassil (Lakho O.P.) P.S. Case No. 441 of 2019, G.R. No. 688/2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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