

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73970 of 2018

Arising Out of PS. Case No.-121 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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1. Jitendra Rai, Son of Satan Rai,
 2. Pankaj Shukla, Son of Suresh Shukla, Both are Resident of Village- Jalalpur,
P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar
For the Opposite Party/s : Mrs. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-01-2019 Heard learned counsels for the petitioners and the
State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (hereinafter referred to as ‘the Act’).

The prosecution case is that on 03.09.2018, the Inspector of Excise received a secret information about storage of illicit liquor, when the raid was laid, 5-6 accused persons escaped from the scene and from a room, situated adjacent to the motorcycle garage of the informant at Lalganj Market, 1048.32



litres of foreign liquor was recovered. The FIR was registered against co-accused Sunil Tiwari and the petitioners, Jitendra Rai and Pankaj Sukla.

It is submitted by learned counsel for the petitioners that the prosecution case does not reflect that the place of seizure belongs to the petitioners and the petitioners also assailed that the place of seizure does not belong to them, hence the offence under the Act is not made out against the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the suspicious nature of accusation and the fact that admittedly recovery has not been made from the petitioners, coupled with the statement made in paragraph no.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/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 like amount each to the satisfaction of learned A.D.J.-III-cum-Special Judge, Vaishali at Hajipur in



connection with C2A-121 of 2018, subject to the condition as
laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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