

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8004 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- BASANTPUR District- Siwan

1. MANOJ RAY Son of Gajendra Ray Resident of Village-Karahi Khurd, Police Station-Basantpur, District-Siwan.
2. Ajay Ray Son of Gajendra Ray Resident of Village-Karahi Khurd, Police Station-Basantpur, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioners and

learned counsel for the State.

Petitioners apprehend their arrest in a case registered under Sections 272, 273, 308, 379, 34 of the Bihar Prohibition and Excise Act, 2016.

Informant who is police officer in his written complaint has alleged that he received secret information that some miscreants have brought liquor on pick up van and delivered it at village Bansohi Dera and on receiving such information, he alongwith other police personnel reached said place and on seeing police, miscreants assembled there tried to escape but two of them were nabbed and they disclosed their names and also disclosed the names of other accused who managed to flee on seeing the police which included the name of petitioners also. On search 216 litres of foreign liquor was



recovered from said vehicle.

It has been submitted on behalf of petitioners that petitioners are innocent and have been falsely implicated in this case. Neither they were present at the place of occurrence nor any illicit liquor has been recovered from their possession, as such, no offence under Excise Act is made out against them. They have been implicated in this case on so called disclosure made by apprehended accused. Petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioners named above in the event of arrest or surrender before the court below within four weeks from today, Petitioners are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Basantpur P.S. Case No. 11 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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