

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10050 of 2020

Arising Out of PS. Case No.-19 Year-2020 Thana- KHAJEKALA District- Patna

1. ARUN KUMAR RAI, Son of Shiv Shankar Rai,
2. Prince Kumar @ Rajiv Kumar, Son of Raj Kumar Mahto @ Raj Kumar Gupta,
Both are Residents of Mohalla- Lala Tola, P.S.- Khajekalan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 30 (a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that there is recovery of 25.15 liters of foreign liquor from the house of petitioner no.2, the house in question belongs to joint family. Allegation against the petitioner no. 1 is arranged the wine for the sale and there is no recovery from the conscious possession of the petitioners. The petitioner no. 1 has no criminal antecedent and the petitioner no.2 has been made accused in



Khajekalan P.S. Case No. 129 of 2019 under Section 302 of the I.P.C. and he is on bail (mentioned in para-3) of the bail petition. He has not made accused any other Excise Act.

However, petitioners are agreed to deposit Rs.10,000/- in the Juvenile Justice Fund of the State Social Welfare Department.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioners, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna, in connection with Khajekalan P.S. Case No. 19 of 2020, Special Case No. 450 of 2020, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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