

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66383 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- BARACHATTI District- Gaya

1. Mantu Kumar, aged about 22 years, male, S/O Gauri Yadav
2. Ranjeet Kumar, aged about 25 years, male, S/O Ram Vriksh Yadav
both Resident of Village - Sindhugadh, P.S.- Mohanpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mrs. Rita Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Barachatti (Mohanpur) P.S. Case No. 45 of 2019, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners as per the First Information Report is that Police raided the place of occurrence near the Bhawanibigha canal and recovered a total quantity of 32.5 liters of illicit country made *Mahua* liquor as well as foreign liquor and arrested three accused persons, who disclosed the name of the petitioners and said that they have purchased the illicit liquor from the petitioners. Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent and they have falsely been implicated on the basis of their name disclosed by the arrested accused persons. Learned



counsel further submits that admittedly the illicit liquor has been recovered from near the Bhawanibigha canal and three persons were arrested however, no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioners.

Having heard learned counsel for the parties and taking into consideration the fact that petitioners have got no criminal antecedent and no illicit liquor has been recovered from their conscious possession or premises belonging to them, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks from the date of receipt of a copy of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 45 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

praful/-

(Anil Kumar Sinha, J)

U		T	
---	--	---	--

