

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63568 of 2019

Arising Out of PS. Case No.-189 Year-2019 Thana- DARAUNDA District- Siwan

1. SUBHSH YADAV Son of Ramajee Yadav Resident of Village - Dahabari, P.S.- Andar, Distt - Siwan.
2. Rajkishore Yadav Son of Shivpujan Yadav Resident of Village - Mirjapur, P.S.- Raghunathpur, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-01-2020 This application, for grant of anticipatory bail, arises out of Daraudha P.S. Case No. 189/2019, disclosing offences under Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition of Excise Act, 2016.

As per F.I.R, police got an information that petitioners and other accused persons are unloading liquor from the truck and on that information police went there, however, the petitioners and others succeeded in fleeing away and on search, 7356.800 litres of liquor has been recovered. Apart from that case diary disclosed that petitioners are accused in two more cases of similar nature.

Submission of learned counsel for the petitioners is



there is nothing on the F.I.R. on the basis of which, the names of petitioners transpired in this case and they have been made accused in this case only on the basis of suspicion.

Learned counsel for the State opposed the prayer for anticipatory bail and submitted that in this case huge quantity of liquor has been recovered and apart from that petitioners are accused in two more cases of similar nature.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners have to surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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