

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85662 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- LALGANJ District- Vaishali

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1. Biru Yadav Son of Harendra Rai Resident of Village Belka, P.S. Vaishali, District Vaishali.
 2. Kundan Kumar Son of Binod Rai Resident of Village Amritpur, P.S. Vaishali, 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 : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Lalganj P.S. Case No. 64 of 2019 registered for the offences punishable under Sections 30(a), 32(2), 41(1) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per first information report is that the police intercepted a Maruti Car and recovered total 53 liters of illicit liquor and also arrested the person who was driving the Maruti Car namely Vivek Kumar and the arrested accused person has disclosed the name of the petitioners.



Learned counsel appearing on behalf of petitioners submits that the petitioners have not committed any offence in the manner alleged inasmuch as the Maruti car which was intercepted by the police was driven by one Vivek Kumar who is the owner of the Maruti car and the petitioners have nothing to do with the seized Maruti Car and the illicit liquor. He further submits that the petitioners have got no criminal antecedent and they have been implicated in this case on the basis of the confessional statement of co-accused.

Having heard learned counsel for the parties and taking into consideration the fact that nothing has been recovered from the conscious possession of the petitioners and they have no concern with the seized liquor and vehicle and petitioners have no criminal antecedent, 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 a period of four weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Vaishali at Hajipur in



connection with Lalganj P.S. Case No. 64 of 2019, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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