

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30566 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- RAJAOLI District- Nawada

1. DIPAK SINGH Son of Bhim Singh Resident of Village and P.S.- Rajauli, Bhabhantoli, District - Nawadah.
2. Situ Singh Son of Mithai Singh Resident of Village and P.S.- Rajauli, Bhabhantoli, District - Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. A.P.P

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-01-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Rajauli P.S. Case No. 74 of 2020, registered under sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on information having been received, the bus in question was stopped and on search 297 litres of IMFL is stated to have been recovered and four accused persons, who were the drivers, khalasi and conductor of the bus, were taken into custody and they disclosed that the liquor was being transported on the instruction of their owner Ashif Khan and the two petitioners herein, are involved in the business of illicit liquor.



It is submitted by learned counsel for the petitioners that the allegations as made in the FIR with respect to the petitioners are false and concocted. There is no other material in the FIR except the confessional statement of the accused persons before the police. The petitioners have been falsely implicated in the case only for the reason that the petitioner no. 1 has one case under the Excise Act, pending against him. No incriminating article has been recovered from the possession of the petitioners.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in view of the facts and circumstances of the case together with the submissions made on behalf of the petitioners, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Rajauli P.S. Case no. 74 of 2020, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Nawadah subject to the conditions



as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

sushma/-

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

