

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34896 of 2020

Arising Out of PS. Case No.-353 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Suresh Rai @ Suresh Ray, son of Ram Lagan Rai, resident of village - Dudhpura, Ward No. - 11, P.S. - Mufassil Samastipur, District- Samastipur.
 2. Ratnesh Rai, Son of Ram Lagan Rai, Resident of village - Dudhpura, Ward No. - 11, P.S. - Mufassil Samastipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh, Advocate.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-04-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Samastipur Mufassil P.S. Case No. 353 of 2020, registered under Sections 120B, 147, 148, 149, 225, 323, 333, 335, 341, 353 and 504 of the Indian Penal Code and Sections 30(a), 32(2) and 41(1) of the Bihar Excise Act, 2016, pending in the court of 2nd Additional Sessions Judge-cum-Special Judge Excise,



Samastipur.

The accusation is that on receiving secret information about unloading of illicit liquor from the truck in different small vehicles near the house of Suresh Rai (petitioner no.1) in village Dudhpura, the informant along with other police personnel reached there then a truck was seen in standing condition, which was 50 yards away to the house of Suresh Rai (petitioner no.1). On search, several bottles, in the volume of 3997.44 litre, of Indian made foreign liquor were recovered from the truck and the Bolero Vehicle parked near the house of Suresh Rai (petitioner no.1).

Learned counsel for the petitioners submits that both petitioners are accused in similar nature of cases, as detailed in paragraph 3 of the petition, due to that reason, they have falsely been implicated in the present case.

Having regard to the facts and circumstances of the case and the recovery of huge quantity of illicit liquor from the vehicles near the house of the petitioners, I am not inclined to grant anticipatory bail to them. Accordingly, their prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial



court in accordance with law without being prejudiced by the
order of this Court.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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