

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37947 of 2020

Arising Out of PS. Case No.-174 Year-2020 Thana- RAJAPAKAR District- Vaishali

1. Ranjan Kumar Son of Shankar Rai @ Shankar Dayal Ray
2. Lalu @ Vikash Kumar @ Vikash Kumar Yadav Son of Lakhan Rai
Both above resident of Village- Teliya, P.S.- Rajapakar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-07-2021 Heard both sides.

The petitioners apprehend their arrest in Rajapakar P.S. Case No.174 of 2020 registered under Section 30(a) of Bihar Prohibition and Excise Act.

The A.S.I. of Rajapakar P.S. disclosed that on secret information, a raid was conducted at Ghaghra near Banarasi Chowk on 30.07.2020 but seeing the police, two persons managed to flee away from the Banana orchard. The villagers assembled there are said to have named the petitioners. 65.625 liters of liquor was recovered.

The learned counsel for the petitioners submits that informant did not disclose the name of the persons who are said to have informed about the participation of the petitioners. The



petitioners have no manner of concern with the liquor. The house of the petitioners situated far away from the place of occurrence. On undisclosed source of information, the informant named the petitioners. The petitioners have got no criminal antecedent.

Taking into consideration the facts aforesaid and the fact that nothing has been recovered from the possession of the petitioners and the name of the petitioners surfaced in the case on the basis of undisclosed source of information to the informant, let the petitioners, above named, in the event of their arrest or surrender within a period of four weeks be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise, Vaishali at Hajipur in connection with Rajapakar P.S. Case No.174 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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