

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5941 of 2022

Arising Out of PS. Case No.-496 Year-2021 Thana- MALSALAMI District- Patna

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1. RAMKARAN @ RAMKARAN RAY S/O PANNU RAY R/o village- Sarifaganj, P.S.- Malsalami, District- Patna
 2. VIJAY RAY S/O NANDI RAY R/o village- Sarifaganj, P.S.- Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

It is a case of recovery of about 900 liters of Mahua liquor from a vehicle.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that they have no concern with the seized liquor and vehicle and no incriminating article has been recovered from the conscious or constructive possession of the petitioners



and petitioners have not been apprehended at the spot. He further submits that the name of the petitioners came into light by the confessional statement of apprehended co-accused Dhanu Rai which is not admissible in the eye of law.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioners, above named in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna in connection with Malsalami P.S. Case No. 496 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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