

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14404 of 2022

Arising Out of PS. Case No.-231 Year-2021 Thana- GANGABRIDGE District- Vaishali

1. ANIL RAI Son of Motilal Ray
 2. Sunil Rai Son of Motilal Ray
 3. Rajeshwar Rai Son of Vanarasi Rai
- All are Resident of Village - Terasiya, Police Station - Ganga Bridge,
District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mrs. Veena Rani Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through the virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a)(c) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that petitioner no. 1 and 3 are persons with clean antecedent and petitioner no. 2 has antecedent of one case.

Allegation is of recovery of 70 litres of liquor from the banana plantation of Guddu Rai along with 3000 litres of raw Jawa which was destroyed. Further 50 litres of liquor was recovered from the banana plantation of Muneshwar Rai along with 2000 litres of raw Jawa which was destroyed and 50 litres



of liquor was recovered from the banana plantation of Sunil Rai along with 2000 litres of Jawa which was destroyed at the spot.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. He further submits that the banana plantation does not belong to the petitioners. It appears that the police in order to save the real culprits have falsely implicated the present petitioners even without an inquiry as to whether the place from where the alleged liquor have been made belongs to the petitioners or not. It is next submitted that the police falsely implicated the petitioners alleging that their name was disclosed by the local people but the FIR is completely silent as to who were the local people who disclosed the name of the petitioners.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each



to the satisfaction of the learned court below where the case is pending/successor court in connection with Ganga Bridge P.S. Case No. 231 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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