

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26912 of 2022

Arising Out of PS. Case No.-275 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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1. TETAR RAY S/o Jokari Ray R/o village- Sukumarpur, P.S.- Rustampur (O.P.), District- Vaishali, Bihar
 2. Rajeev Ray S/o Jokari Ray R/o village- Sukumarpur, P.S.- Rustampur (O.P.), District- Vaishali, Bihar
 3. Pukar Ray S/o Vimal Ray R/o village- Sukumarpur, P.S.- Rustampur (O.P.), District- Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-09-2022 Since the anticipatory bail application has been restored by order dated 28.09.2022 in Cr. Misc. No. 51824 of 2022, as such the present anticipatory bail application is being taken up on its merit.

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

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(A) and 30(C) of the Bihar Excise Act.

Learned counsel for the petitioners submits that



petitioner no. 1 has antecedent on one case and petitioner nos. 2 and 3 are persons with clean antecedent and allegation is of recovery of 70 litre of liquor and 12,000 litre of Jawa which was destroyed in the field near the bank of Ganga River from a Bhatti.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that the alleged place, from where the recovery was made, is accessible to public at large, it is next submitted that even the Bhatti does not belong to the petitioners, nor it is alleged in the FIR that they are owner of the Bhatti.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned trial court
where the case is pending/successor court in connection
with C2A Case No. 275 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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