

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30937 of 2022

Arising Out of PS. Case No.-49 Year-2022 Thana- TEKARI District- Gaya

1. Mithlesh Kumar @ Mithlesh Raut Son of Laxmi Raut Resident of village - Malsari, P.S.- Tekari (Panchanpur O.P.), Dist.- Gaya, Bihar.
2. Sudhir Kumar @ Sudhir Raut Son of Rajendra Raut Resident of village - Malsari, P.S.- Tekari (Panchanpur O.P.), Dist.- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anmol Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Tekari (Panchanpur O.P.) P.S. Case no. 49 of 2022 instituted for the offence under Sections 272, 273 of Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The prosecution story is that after getting secret information, the informant and police party arrived at Malsari Jungle and saw that five persons including petitioners were carrying a blue coloured plastic gallon and they fled away after



seeing the police party. On search of gallon total 40 liters illicit country made liquor was recovered from the place of occurrence.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to mere suspicion. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery of country made liquor or with the place of occurrence. The name of the petitioners have been disclosed in this case by local chaukidar which has no evidentiary value in the eye of law. Neither the petitioners were arrested nor any incriminating article has been recovered from their conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners is directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Tekari (Panchanpur O.P.) P.S. Case no. 49 of 2022, he will be enlarged on bail on furnishing



bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court No.2, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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