

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35173 of 2022

Arising Out of PS. Case No.-144 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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1. Ajay Kumar @ Ajay Ray S/o- Suresh Ray Resident of Village - Rampur Dudhpura No.- 11, P.S.- Samastipur (Muffasil), District - Samastipur.
 2. Chunnu @ Sumant Kumar S/o- Dinesh Prasad Singh R/o- Bhuskaul, P.S.- Pusa, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-09-2022 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 his arrest in connection with Excise Case no. 144 of 2022 instituted for the offence under Sections 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of a huge quantity of 570 litres IMFL from a hut which belongs to the accused person namely, Dheeraj Kumar.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in the present case. Petitioners have no concern with the alleged recovery or



with the place of occurrence. The name of the petitioners have been disclosed in this case on confessional statement of the co-accused, namely, Dheeraj Kumar who was arrested on spot. Neither the petitioners were arrested nor any incriminating article has been recovered from his 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 are directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Exicse Case no. 144 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 Special Judge Excise Court-2, Samastipur, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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