

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52440 of 2021

Arising Out of PS. Case No.-56 Year-2021 Thana- RIGA District- Sitamarhi

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1. BAIJU DHANUKAR SON OF JODHAN DHANUKAR R/O VILLAGE-DHANUKAR TOLA SIRAULI, P.S.- RIGA, DISTRICT- SITAMARHI
 2. SUNIL DHANUKAR SON OF RAJENDRA DHANUKAR R/O VILLAGE- DHANUKAR TOLA SIRAULI, P.S.- RIGA, DISTRICT- SITAMARHI
 3. MANOJ DHANUKAR SON OF RAM DEO DHANUKAR R/O VILLAGE-DHANUKAR TOLA SIRAULI, P.S.- RIGA, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend arrest in connection with Riga P.S. Case No. 56 of 2021 registered under Section 272, 273/34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioners. Further he submits that petitioners have no criminal antecedent.



Learned A.P.P. appearing on behalf of the State opposed the prayer for grant of bail of the petitioner no. 1 by contending that the alleged illicit liquor has been recovered from the house of petitioner no. 1 Baiju Dhanukar. Hence, he does not deserve to be enlarged on anticipatory bail.

Having considered the above facts and circumstances of the case and the submissions advanced on behalf of the learned counsel for the State, the application for grant of anticipatory bail of petitioner no.1 Baiju Dhanukar is rejected.

As far as above named petitioner nos. 2 and 3 are concerned, they are directed be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Riga P.S. Case No. 56 of 2021, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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