

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45976 of 2022

Arising Out of PS. Case No.-384 Year-2021 Thana- BARHARA District- Bhojpur

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1. Upendra Rai S/O Agrendra Rai Resident Of Village- Saraiya Tola, P.S.- Jagdishpur, District- Bhojpur.
 2. Raktu Rai S/O Radhe Shayam Rai Resident Of Village- Saraiya Tola, P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 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 Barahara P.S. Case no. 384 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 40 liters illicit country made liquor from the bank of Sone River.

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 on mere suspicion. They have got no criminal antecedent.



Petitioners have no concern with the alleged recovery of illicit liquor or with the place of occurrence. The name of the petitioners have been disclosed in this case on statement of local Chaukidar. It is further submitted that 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 Barahara P.S. Case no. 384 of 2021, they 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 Additional Sessions Judge-IX, Bhojpur, Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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