

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47153 of 2022

Arising Out of PS. Case No.-60 Year-2022 Thana- DORIGANJ District- Saran

1. LAL KISHUN RAI S/o Iner Rai Resident of Village - Purvi Balua, P.S Doriganj, District - Saran at Chapra.
2. Bajrangi Rai S/o Sipahi Rai Resident of Village - Purvi Balua, P.S Doriganj, District - Saran at Chapra.
3. Lutuk Rai @ Ram Niwas Rai S/o Late Laddu rai Resident of Village - Purvi Balua, P.S Doriganj, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-10-2022 At the outset of argument learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner No.1.

Prayer is allowed.

This anticipatory bail petition is dismissed as withdrawn against petitioner No.1.

Heard learned counsel for the petitioners No. 2 and 3 and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30 (a), 32(2) (3), 38 of the Bihar Prohibition & Excise Act.

As per the prosecution case, 70 liters of county made liquor has been recovered from the mustard field of Lal Kishun



Rai.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioners and they are no way concerned with the alleged recovery. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners No. 2 and 3, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum- Special Judge-1, Excise Act, Saran at Chapra in connection with Doriganj PS case No. 60/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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