

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53424 of 2022

Arising Out of PS. Case No.-105 Year-2021 Thana- MAJORGANJ District- Sitamarhi

1. Amar Rai @ Amar Kumar @ Aman Rai S/o Saman Rai @ Manan Rai Resident of Village- Harpur Kala Math Tola, P.S.- Majorganj, District- Sitamarhi.
2. Shiv Shankar Das S/o Madan Das Resident of Village- Harpur Kala Math Tola, P.S.- Majorganj, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 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 Majorganj P.S. Case no. 105 of 2021 instituted for the offence under Sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 156 illicit country made liquor from a vehicle bearing Registration No. BR 1M3302.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioners have no concern with the alleged



recovery of illicit liquor or with the place of occurrence. The vehicle in question from where the recovery has been made, does not belong to the petitioner. The name of the petitioners have been disclosed in this case by local chaukidar. It is further submitted that neither the petitioners were arrested nor any incriminating article has been recovered from their 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 their arrest or surrender in connection with Majorganj P.S. Case no. 105 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 District Judge II-cum-Special Judge, Excise Acct, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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