

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55493 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- NAUBATPUR District- Patna

1. KISHORE SINGH @ KISHORI SINGH Son of Late Binda Singh @ Vinda Singh Resident of Village - Barki Kopakala, Police Station - Naubatpur, District - Patna.
2. Ranjay Kumar @ Ranjay Singh Son of Late Binda Singh @ Vinda Singh Resident of Village - Barki Kopakala, Police Station - Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-11-2022 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 Naubatpur P.S. Case no. 181 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 180 ml illicit country made foreign liquor in front the house of the petitioners.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. It is further submitted that the petitioners have no concern with the alleged recovery of illicit country made liquor



or with the place of occurrence. The name of the petitioners have been disclosed in this case by the apprehended co-accused persons which has got no evidentiary value in the eye of law. Neither the petitioners were arrested on spot 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 considering the fact that the recovery illicit liquor is meagre in quantity, 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 Naubatpur P.S. Case no. 181 of 2022, 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 Special Excise Judge, Danapur, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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