

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57251 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- RIGA District- Sitamarhi

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1. RANJEET KUMAR @ RANJEET RAI Son of Devendra Yadav @ Devendra Rai Resident of village - Sirauli Ward No.- 04, P.S.- Riga, Dist. - Sitamarhi
 2. Devendra Yadav @ Devendra Rai Son of Ram Babu Rai Resident of village - Sirauli Ward No.- 04, P.S.- Riga, Dist. - 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.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-11-2022 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 Riga P.S. Case no. 127 of 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 25 litres from the house of the petitioners.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery. The alleged house is



a joint abandoned property and no person used to live there. For a single offence, two persons were implicated who are Petitioner no. 1, (son) and petitioner no. 2 (father), which is not just and proper. Neither the petitioner was arrested nor any incriminating article has been recovered from his 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 petitioner no. 2 on bail. The petitioner no. 2 is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Riga P.S. Case no. 127 of 2022, he 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 Judge, Exclusive Specail Excise Court No. 1, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

So far as petitioner no. 1, is concerned, he is son of petitioner no. 2, and as per seizure list, the alleged recovery has been made from his house, I am not inclined to enlarge the petitioner no. 1 on bail. His prayer for anticipatory bail is



rejected.

The application stands disposed off against petitioner
no. 1, namely Ranjeet Kumar @ Ranjeet Rai.

(Sunil Kumar Panwar, J)

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