

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68061 of 2022

Arising Out of PS. Case No.-645 Year-2021 Thana- SONEPUR District- Saran

1. SHAMBHU RAI Son of Deoraj Rai R/v- Chitrasenpur, P.S.- Sonpur, District- Saran of Chapra
2. NAND KISHOR RAI Son of Deoraj Rai R/v- Chitrasenpur, P.S.- Sonpur, District- Saran of Chapra
3. CHANDRA KISHOR RAI @ CHUNNU RAI Son of Deoraj Rai R/v- Chitrasenpur, P.S.- Sonpur, District- Saran of Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Atul Shankar
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 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 Sonapur P.S. Case no. 645 of 2021 instituted for the offence under Sections 30(a), 41(i) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 100 litres of country made liquor from mango orchard of Dharmbir Singh.

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 or with the place of occurrence. The name of the petitioner has been disclosed in this case by the chaukidar before the police, which has no evidentiary value in the eye of law. 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 Sonapur P.S. Case no. 645 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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