

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47230 of 2023

Arising Out of PS. Case No.-569 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

1. Vaidhnath Kumar@Baijnath Ray@Vaijnath Kumar S/O Devendra Ray @ Yaduvansh Roy Residence Of Vill/Mohalla- Uttri Dhamaun, P.S.- Shahpur Patori Dist.- Samastipur
2. Nitish Kumar S/O Vinay Ray Residence Of Vill/Mohalla- Uttri Dhamaun, P.S. Shahpur Patori, Dist.- Samastipur
3. Madhu Kumar S/O Umesh Ray @ Bhulli Ray Residence Of Vill/Mohalla- Uttri Dhamaun, P.S. Shahpur Patori, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Adv
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 04-09-2023 Heard learned counsel for the petitioners and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioners apprehend their arrest in

connection with Shahpur Patori P.S.Case No. 569 of 2022

instituted under Section 30(a) of Bihar Prohibition & Excise

Act.

3. As per the prosecution case, total 43 liters



foreign liquor was recovered from the Alto car and apprehended co-accused person disclosed the name of the petitioners that they came on motorcycle with consignment and were escorting the case and after seeing the police, they fled away

4. Learned counsel for the petitioners submits that petitioners are innocent person and have been falsely implicated in this case due to personal grudge and ulterior motive. No incriminating materials have been recovered from conscious possession of the petitioners. He further submits that petitioners have fair antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of their arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Special Judge Excise, Samastipur in connection with Shahpur Patori P.S.Case No.



569 of 2022, subject to the conditions laid down in Section
438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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