

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58703 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- KESARIA District- East Champaran

1. Manjay Rai S/O- Ravindra Rai Village- Kadhan P.S. - Kesariya District- East Champaran
2. Kirani Rai son of Late Jamadar Rai Village- Kadhan P.S.- Kesariya District- East Champaran
3. Ravindra Rai son of Late Magister Rai Village- Kadhan P.S.- Kesariya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Kesariya P.S. Case No. 147 of 2023 instituted under Sections 272 and 273 of the Indian Penal Code and Section 30(a), 32 and 41(i) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 70 liters of country made liquor was recovered from the bank of Gandak river. The Chowkidar has disclosed that the accused persons including the petitioners have fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. The petitioners were not present at the place of occurrence and no incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of 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) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No. 2, Motihari, East Champaran in connection with Kesariya P.S. Case No. 147 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

saaurabhkr/-

U		T	
---	--	---	--

