

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19405 of 2024

Arising Out of PS. Case No.-431 Year-2023 Thana- RANIYATALAB District- Patna

1. Nitish Kumar Son of Mahesh Yadav Resident of vill. and Post.-Saidabad, P.S.-Ranitalab, Distt.-Patna
2. Sanjeev Kumar Sharma @ Viki Son of Prabhu Mistri Resident of vill. and Post.-Saidabad, P.S.-Ranitalab, Distt.-Patna
3. Ranjan Kumar @ Titu Kumar Son of Katiman Yadav Resident of vill. and Post.-Saidabad, P.S.-Ranitalab, Distt.-Patna
4. Pinku Kumar @ Tinku Son of Nepali Sao Resident of vill. and Post.-Saidabad, P.S.-Ranitalab, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar, Adv

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

2. The petitioners apprehend their arrest in connection with Rani Talab P.S Case No. 431 of 2023 instituted under Section 30(a),30 (c) 30(d), 33,34,36,41(i) of the Bihar Prohibition & Excise Amendment Act.

3. As per the prosecution case, total 213 litres of illicit foreign liquor , empty bottles of liquor, caps of the



bottles and other utensils and Yamaha motorcycle were recovered from the Karkat room near Banswari.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. It is submitted that co-accused Raju Gope was running syndicate of wine. The petitioners were neither caught from the spot nor any liquor was recovered from their possession. The name of these petitioners have sprung up in the confessional statement of the co-accused person. The said room does not belong to the petitioner. No case is made out against the petitioner. There is general and omnibus allegation attributed against the petitioners. The petitioners have clean 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 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 Special Judge Excise- Danapur/ concerned court
in connection with Rani Talab P.S. Case No. 431 of 2023,
subject to the conditions laid down in Section 438(2) of the
Code of Criminal Procedure, 1973.

(Chandra Prakash Singh, J)

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