

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46484 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- KATEYA District- Gopalganj

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1. Aman Rai Son of Fulena Rai Resident of Village - Sunderpur, P.S.- Saran, District - Saran.
 2. Sanjay Rai Son of Sushil Rai Resident of Village - Chitarchak Sonpur, P.S.- Saran, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection
with Kateya P.S. Case No. 70 of 2024 instituted for the offences
under Sections 414/34 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case, in short, is that total 976.32 litres
of illicit liquor has been recovered from a truck.



4. Learned counsel for the petitioners submitted that the petitioners are innocent and have falsely been implicated in the present case. Learned counsel further submitted that both the petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners further submitted that name of the petitioner no.1 has been transpired because of the fact that he happens to be the owner of the vehicle from which the recovery has been made. Learned counsel further submitted that petitioners were not present at the place of occurrence rather their names were disclosed by the co-accused persons who were arrested on the spot. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kateya P.S. Case



No. 70 of 2024, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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