

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71786 of 2024

Arising Out of PS. Case No.-285 Year-2024 Thana- GORAUL District- Vaishali

1. Saurav Kumar S/O Harendra Pd. Singh @ Harendra Singh Resident Of Village- Ismailpur, P.S- Goraul, Distt.- Vaishali.
2. Gaurav Kumar S/O Harendra Pd. Singh @ Harendra Singh Resident Of Village- Ismailpur, P.S- Goraul, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Goraul P.S. Case No. 285 of 2024 registered for the offences punishable under Sections 30(a), 32(ii) and 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 77.625 litres of Indian made foreign liquor was recovered from *bathan* of the petitioners.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. Petitioners have no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered



from the possession of the petitioners. It is further submitted that the name of the petitioners have been transpired only because he happens to be the owner of the bathan from where the alleged recovery has been made and the said *bathan* is accessible to local people. The petitioners have no criminal antecedent. There is no compliance of Section 100 Cr.P.C.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Goraul P.S. Case No. 285 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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