

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71891 of 2024

Arising Out of PS. Case No.-444 Year-2024 Thana- KARAKAT District- Rohtas

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1. Surendra Kumar Son of Lallu Singh @ Lallu Yadav Village -Kurur Baal PS -Karakat District -Rohtas
 2. Jitendra Singh @ Jitendra Kumar Son of Rameshwar Singh Village -Kurur Baal PS -Karakat District -Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Karakat P.S. Case No. 444 of 2024 dated 22.08.2024, instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 22 litres country made *Mahua* liquor from the bank of River near orchard.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that petitioners have no concern either with the said orchard or with open area near the bank of River from where the said liquor was recovered. It is submitted that the petitioners have no concern with the said illicit liquor. Only on the basis of disclosure made by local villagers and local



Chowkidar, the petitioners have been made accused in this case. There is no material available to connect the petitioners with the said crime. It is further submitted that nothing has been recovered either from the conscious possession of the petitioners or from their house rather the said recovery has been made from an open area near the bank of River. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Karakat P.S. Case No. 444 of 2024, they shall be released on anticipatory 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. 1, Rohtas at Sasaram, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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