

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72497 of 2023

Arising Out of PS. Case No.-274 Year-2023 Thana- UJIYARPUR District- Samastipur

1. SANJU RAY @ SANJAY KUMAR RAY SON OF VIPAT RAY R/O VILLAGE- BHAGWANPUR DESUA, P.S.- UJIYARPUR, DISTRICT- SAMASTIPUR
2. VINOD RAY SON OF ASHARFI RAY R/O VILLAGE- MALTI BIDAULIYA, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Ujjiyarpur P.S. Case No. 274 of 2023 dated 27.07.2023 instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, 288.36 litres of illicit foreign liquor has been recovered from the house of one Pramod Rai.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the petitioners have been made accused in the present case only on the basis of confessional statement made by the accused, Pramod Rai, from whose



possession the illicit liquor has been recovered. It is next submitted that nothing has been recovered from the conscious possession of the petitioners or from the house of the petitioners. Lastly, it has been submitted that petitioner no.1 has no criminal antecedents while petitioner no.2 has got one criminal case against him.

5. Learned A.P.P. has opposed the prayer for anticipatory 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 Ujiyarpur P.S. Case No. 274 of 2023, they will 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-1, Samastipur subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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