

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75641 of 2024

Arising Out of PS. Case No.-231 Year-2024 Thana- RAGHUNATHPUR District- Siwan

1. Raju Bind @ Raju Kumar Bin @ Raju Bin S/O Ramdayal Bind @ Ramdayal Resident of village - Rakauli ,P.S- Raghunahpur,Dist.- Siwan.
2. Shailendra Bind @ Shailendra Bin @ Anurag @ Shailendra S/O Ramdayal Bind @ Ramdayal Resident of village - Rakauli ,P.S- Raghunahpur,Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Adv.
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Raghunathpur Excise P.S. Case No. 231 of 2024 dated 12.08.2024, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 pending before the Court of Exclusive Special Excise Court No.2, Siwan.

3. As per the prosecution, FIR has been lodged against two named accused persons (both the petitioners). Total recovery of 96 litres of *desi mahua* liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. Counsel further submits that the criminal antecedent of the petitioners are not clean as there are two criminal cases pending against them in which in both the cases, they are on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is hereby rejected.

7. It is directed to the petitioners to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioners surrendered within four weeks, then the Trial Court is directed to pass order on their surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioners has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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