

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78022 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

1. Shatrughan Kumar Ray S/O Ram Milan Ray R/O Village - Bajitpur Banwaripur Tola, Ward No.- 7, P.S- Halai, District Samastipur.
2. Mithilesh Kumar S/O Sita Ram Ray R/O Village - Bajitpur Banwaripur Tola, Ward No.- 7, P.S- Halai, District Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-11-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Patory P.S. Case No. 89 of 2024 dated 27.07.2024 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act 2018.

3. As per the first information report a total quantity of 58.25 liters of foreign liquor has been recovered from a silver colour Indica Car bearing Registration No. JH9K-9657.

4. Learned counsel for the petitioners submits that petitioners are neither the owner nor the driver of the Indica Car. No incriminating article and / or illicit liquor has been recovered from the conscious possession of the petitioners. The petitioners



have got clean antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation, the fact that no illicit liquor has been recovered from the conscious possession and / or vehicle belonging to the petitioners and the petitioners have got clean antecedent, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise)-2, Samastipur in connection with Patori P.S. Case No. 89 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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