

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83717 of 2024

Arising Out of PS. Case No.-304 Year-2024 Thana- RAGHOPUR District- Supaul

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1. Shankar Swarnkar @ Shankar Kumar Swarnkar S/O Bindeshwari Swarnkar R/O Vill- Daulatpur, P.S- Raghapur, District - Supaul (Bihar)
 2. Raja Mandal @ Raja Kumar Mandal S/O Late Baijnath Mandal R/O Vill- Daulatpur, P.S- Raghapur, District - Supaul (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Adv.
For the Opposite Party/s : Mr. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Raghapur P.S. Case No. 304 of 2024 dated 29.08.2024, instituted for the offence punishable under Sections 30(a) and 41(1) of Bihar Prohibition and Excise Amendment Act, 2016.

3. The allegation is of recovery of 104.140 litres illicit wine from white colour Safari vehicle bearing Reg. No. BR50P0939.

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 nothing has been recovered either



from the conscious possession of the petitioners or from their house. It is submitted that the petitioners are neither the owner nor the driver of the said vehicle. It is submitted that that only on the basis of disclosure made by local people of the area, the petitioners have been made accused in this case. 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 Raghapur P.S. Case No. 304 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 Exclusive Spl. Excise Judge-II, Supaul, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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