

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83186 of 2024

Arising Out of PS. Case No.-340 Year-2024 Thana- RAJNAGAR District- Madhubani

1. Rishi Prakash S/o Arun Kumar Ray R/o Muhalla- Chandani Chowk, Keshav Nagar, Rajnagar, PS- Rajnagar, Distt- Madhubani
2. Ravi Prakash S/o Arun Kumar Ray R/o Muhalla- Chandani Chowk, Keshav Nagar, Rajnagar, PS- Rajnagar, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha

For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioners and Ms. Sangeeta Sharma, learned APP for the State.

2. The instant application for anticipatory bail have been filed by the petitioners apprehending their arrest in connection with G.R. No. 1243 of 2024 arising out of Rajnagar P.S. Case no. 340 of 2024 instituted for the offence under Sections 274, 275, 3(5) of Bhartiya Nayaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that police had secret information that some persons threw away illegal liquor from Shahid Express Train on platform No. 2 of Rajnagar Railway Station. On this information, police made a search and



ultimately recovered 25.5 liters of whisky from a *Jhola*. The name of these petitioners have also surfaced on the basis of secret information.

4. Learned counsel appearing on behalf of the petitioner have submitted that petitioners are innocent and has committed no offence. They have falsely been implicated in this case. It is also submitted that nothing have been recovered from the possession of these petitioners. The recovery has been made from Platform No. 2 of Rajnagar Railway Station.

5. In contra, learned APP appearing for the State opposes the prayer of bail of the petitioners and submitted that petitioner no. 1 is having two criminal antecedent and petitioner no. 2 is having one antecedent.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with G.R. No. 1243 of 2024 arising out of Rajnagar P.S. Case No. 340 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, (Excise Act), Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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