

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88395 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- Excise Thana Hajipur District- Vaishali

1. Rajesh Kumar, S/O Awadhesh Singh, R/O Village- Sahdullapur P.S- Gangabridge, Distt.- Vaishali.
2. Mukul Singh @ Mukul Kumar, S/O Bhuneshwar Singh, R/O Village- Sahdullapur, P.S- Gangabridge, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioners and Mr. Upendra Kumar, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Hajipur Excise P.S. Case No. 245 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. The case of the prosecution is that police received an information that Mukul Singh is dealing in foreign liquor. On this information as the police reached near that house of Dina Nath Singh, they found three persons standing there. Two of them managed to escape and one was apprehended who was



identified as Shive Kumar Singh. Near the house of Shive Kumar Singh from the bushes, altogether 143.04 liters of foreign liquor was recovered. The name of these petitioners was disclosed by co-accused Shiv Kumar Singh.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case only on the basis of their criminal antecedent in which they have already been granted anticipatory bail. Neither they have apprehended on the spot nor anything has been recovered from their possession. They have no concern with alleged liquor.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Though, the petitioners are having criminal antecedent, at this stage I find no role of the petitioners in this case.

7. 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 Hajipur Excise P.S. Case No.



245 of 2024, they will be enlarged on bail 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 Exclusive Special Excise Judge-IIInd -cum-Additional District and Sessions Judge Judge, Hajipur, Vaishali, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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