

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19871 of 2019

Arising Out of PS. Case No.-135 Year-2018 Thana- KATRA District- Muzaffarpur

1. Harsh Verdhan @ Harsh Verdhan Kumar, Son of Shri Sanjeev Kumar Singh
Resident of Village- Dhanaur, P.S.- Katra, District- Muzaffarpur.
2. Sanjeev Kumar Singh @ Sanjeev Singh, Son of Shri Shivjee Singh Resident
of Village- Dhanaur, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Arbind Kumar Pandey (APP 84)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsels for the petitioners and the
State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 272 and 273 of the IPC and Sections 30(a), 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that on a secret information that in the village Ghanaur, huge quantity of illicit liquor is being unloaded, the house of co-accused Chitranjan @ Kalu was raided, and 1612 litres of Indian Made Foreign Liquor were



recovered when two co-accused persons namely, Chitranjan @ Kalu and Tasvir were arrested. The apprehended co-accused, Chitranjan @ Kalu disclosed the name of the petitioners, as the persons who escaped from the scene.

It is submitted by learned counsel for the petitioners that the petitioners were not apprehended from the place of seizure and admittedly, recovery has not been made from the conscious physical possession of the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the name of the petitioners sprang up on the confession of apprehended co-accused person.

Considering the fact that prosecution case does not suggest recovery from the conscious physical possession of the petitioners, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with



Katra P.S. Case No. 135 of 2018, subject to the condition as laid
down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

