

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7851 of 2022

Arising Out of PS. Case No.-352 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

1. DHARMENDRA KUSWAHA SON OF SHIV DULAR KUSWAHA R/O VILLAGE- GHATAON, P.S.- KUDRA, DISTRICT- KAIMUR AT BHABUA
2. ASLAM MIAN SON OF LATE ASHRAF MIAN R/O VILLAGE- GHATAON, P.S.- KUDRA, DISTRICT- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners have antecedent of three cases each and allegation is of recovery of 2.700 litres of liquor from petitioners paddy straw.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, they were not arrested from the spot as such nothing was recovered



from their conscious possession and the paddy straw was kept outside the house as such the petitioners were not aware who had misused their premises. It is next submitted that petitioners were falsely implicated based on their antecedents as their name transpired on the basis of secret information.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kudra P.S. Case No. 352 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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