

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15501 of 2022

Arising Out of PS. Case No.-240 Year-2021 Thana- RAJAON District- Banka

1. RAHUL KUMAR @ Rahul Mandal Son of Bihari Mandal Resident of Village - Dubouni, P.S.- Amarpur, Distt.- Banka.
2. Chandan Kumar Sonof Maheshwar Prasad Mandal Resident of Village - Dubouni, P.S.- Amarpur, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yogesh Chandra Verma, Sr. Advocate
	:	Mr.Bipin Kumar, Advocate
For the Opposite Party/s	:	Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2022 Heard learned senior counsel for the petitioners and learned A.P.P. for the State through virtual Court proceedings.

Learned senior counsel for the petitioners submits that a supplementary affidavit has been filed for rectifying the cause title with respect to petitioner no.1 as his name has been recorded as Rahul Kumar when his name is Rahul Kumar @ Rahul Kumar.

Learned Advocate on record is permitted to make necessary correction within two weeks from today.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 32(2) of the Bihar Excise Act.



Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 232.200 litres of liquor from two Scorpio and one Maruti Suzuki Alto.

Learned senior counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next submitted that petitioners are neither the owner nor the driver of the aforesaid vehicles and their name transpired in the confessional statement of co-accused Sumit Kumar Singh and Saket Kumar which has no evidentiary value.

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

Considering the submissions made by the learned senior counsel for the petitioners and the fact that the petitioners are persons with clean antecedent, 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. 2,000/- (Rupees Two Thousand) 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 Rajaoun P.S. Case



No. 240 of 2021 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/Shivam/-

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