

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11074 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- BALIYA District- Begusarai

1. Balram Singh Son Of Makharu Singh Resident Of Village- Bhagatpur, P.S.- Ballia, District- Begusarai.
2. Rahul Singh Son Of Gholat Singh Resident Of Village- Bhagatpur, P.S.- Ballia, District- Begusarai.
3. Tuna Singh Son Of Kartik Singh Resident Of Village- Bhagatpur, P.S.- Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioners submits that the petitioner nos.1 and 2 are persons with clean antecedent and petitioner no.3 has antecedent of two cases and the allegation is of recovery of 22 bottles each containing 600 ml of liquor from the house of Rajesh Singh, who has abandoned house long away and 22 cartons having 941 bottles of 180ml each from the same



place. Thus, it is alleged that total 182.580 litre of liquor was seized.

The learned counsel for the petitioners submits that petitioners were not apprehended from the spot, as such, nothing was recovered from their conscious possession. It is next submitted that petitioners have no concern with Rajesh Singh. It is also submitted that admittedly, the place from where the alleged recovery was made is an abandoned place. Hence, the same could have been misused by any accused dealing in liquor. It is next submitted that petitioners came to be implicated based on secret information which is the easiest way to implicate an innocent person.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ballia P. S. Case



No.12 of 2022, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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