

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15189 of 2022

Arising Out of PS. Case No.-264 Year-2018 Thana- NADI P.S. District- Patna

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1. ROUSHAN KUMAR Son of Harendra Rai Resident of Village - Jethuli, P.s.- Nadi, Distt.- Patna.
 2. Sunil Kumar Son of Lal Mohan Rai Resident of Village - Jethuli, P.s.- Nadi, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Pandey, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2022 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 341, 323, 307, 147, 148, 149, 353, 337, 338, 427, 431 and 34 of the Indian Penal Code read with Sections 30(a) and 45 Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of foreign liquor from Jagdish Rai's cowshed.

Learned 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 from bare perusal of the allegation as alleged in the F.I.R. it would manifest that even the quantity of liquor seized has not been mentioned in the F.I.R. It is further submitted that the alleged recovery is also not from a place which belongs to the petitioners.

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. 2,000/- (Rupees Two 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 Spl. Case No. 12083 of 2018 arising out of Nadi P.S. Case No. 264 of 2018 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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