

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17972 of 2022

Arising Out of PS. Case No.-662 Year-2021 Thana- HISUWA District- Nawada

1. Ranjay Kumar Singh Son Of Kamta Singh Resident Of Village - Kaithir, P.S.- Hisua, District - Nawada.
2. Rubi Devi Wife Of Ranjay Kumar Singh Resident Of Village - Kaithir, P.S.- Hisua, District - Nawada.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-06-2022 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 Sections 30(a) and 41 of the Excise Act, 2016.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of total recovery of 6.75 litre of liquor from the backside of the house of the petitioner.

The learned counsel for the petitioners submits that petitioners were not apprehended from the place of occurrence, nor recovery was made from their house rather the recovery was



made from a place outside the house of the petitioners and they came to be implicated merely because their house is situated near the place of occurrence. It is next submitted that since the petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners and in the nature of allegation and recovery, 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. 500/- (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 Hisua P. S. Case No.662 of 2021, 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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