

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18617 of 2022

Arising Out of PS. Case No.-722 Year-2021 Thana- SONEPUR District- Saran

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1. Rakesh Kumar S/O Bhalu Rai R/O Village- Abdulhi, P.S.- Sonapur, District- Saran At Chapra
 2. Jeka Kumar @ Sunil Kumar Yadav S/O Ramayan Rai R/O Village- Abdulhi, P.S.- Sonapur, District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 30(a), 41(ii) of the Bihar Prohibition & Excise Act.

There is recovery of 100 liters of country made liquor and two motorcycles from the bushes at Diyara area ie. an open place. The local persons and Chaukidar disclosed the name of the persons who fled away from the place of occurrence as petitioners and co-accused.

It is submitted by learned counsel for the petitioners that petitioners were not apprehended from the



spot. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern either with the illicit liquor or with the seized motorcycles. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court II, Saran in connection with Sonapur P.S. Case No. 722 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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