

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20696 of 2022

Arising Out of PS. Case No.-809 Year-2021 Thana- SITAMARHI District- Sitamarhi

1. Pahalad Prasad, Son Of Late Ganpat Prasad R/O Village- Binwa Tola, Ward No.-1, P.S. And District- Sitamarhi
2. Ronak Kumar, Son Of Pahalad Prasad R/O Village- Binwa Tola, Ward No.-1, P.S. And District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2022 Heard learned counsel for the petitioners and 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, 2016.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 928.200 litre of liquor kept in a bag near a mosque at a deserted place.

The learned counsel for the petitioners submits that the petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is next



submitted that the place from where the alleged recovery is shown, is a public place and is accessible to public at large. It is further submitted that it appears that in order to save the real culprit, the petitioners implicated by the local Chaukidar.

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. 2,000/- (Rupees Two 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 Sitamarhi P. S. Case No.809 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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