

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21000 of 2022

Arising Out of PS. Case No.-460 Year-2021 Thana- RAJAOLI District- Nawada

1. SANTOSH RAJWANSHI Son of Rameshwar Rajwanshi Resident of Village - Baliya, P.S.- Rajouli, District - Nawada.
2. Pankaj Rajwanshi Son of Sukhdeo Rajwanshi @ Sudhdeo Rajwar Resident of Village - Baliya, P.S.- Rajouli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a)(d) and 41 of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 90 litre of liquor from Jamundaha forest and 38 litre of liquor from two persons near Kumbhyatri More who were arrested.

Learned counsel for the petitioners submits that both the seizures were made from different places and the petitioners were not apprehended from the spot as it is alleged that they managed to escape from Jamundaha forest, as such, nothing was recovered from their conscious possession. It is next submitted



that the petitioners came to be implicated based on the disclosure made by the Chawkidar and some local people with whom petitioners were on an inimical term. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the fact that petitioners were not apprehended from the spot and nothing was recovered from their conscious possession and taking into consideration 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 Rajouli P.S. Case No. 460 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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