

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24957 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- PARIHAR District- Sitamarhi

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1. SANJAY SAH SON OF CHANDESHWAR SAH R/O VILLAGE- SAHASRAM SUNDARPUR TOLA, P.S.- PARIHAR, DISTRICT- SITAMARHI
 2. SUJIT SAH SON OF BINDA SAH R/O VILLAGE- SAHASRAM SUNDARPUR TOLA, P.S.- PARIHAR, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent.

Allegation is of recovery of 450 litres of liquor from
the straw house of Suresh Rai.

Learned counsel for the petitioners submits that
petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession. It is further submitted that the alleged recovery is from a place which does not belong to the petitioners and they came to be implicated by the Chawkidar who claims to have identified the petitioners in the torch light while fleeing.

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 Parihar P.S. Case No. 05 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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