

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26027 of 2022

Arising Out of PS. Case No.-367 Year-2021 Thana- JAGDISHPUR District- Bhojpur

1. SHASHI SINGH @ SHASHI KUMAR SON OF MANOJ MAHATO R/O VILLAGE- NEUR POKHAR, P.S.- JAGDISHPUR, DISTRICT- BHOJPUR
2. MITHILESH SINGH @ MITHLESH KUMAR MAHTO SON OF RAJ KISHORE SINGH R/O VILLAGE- NEUR POKHAR, P.S.- JAGDISHPUR, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-11-2022 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) and 30(d) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 20 litres of liquor from a place near the bank of a river and 3,000 litres of raw materials which was destroyed at the spot.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession, it is next submitted that even the recovery is from a place which does not belong to the petitioners, it is next submitted that petitioners came to be implicated based on secret information which is the easiest way to implicate an innocent person when admittedly petitioners are persons with clean antecedent.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jagdishpur P.S. Case No. 367 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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