

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27877 of 2022

Arising Out of PS. Case No.-609 Year-2021 Thana- MANER District- Patna

1. Shiv Kumar Ray, Son Of Late Ram Dayal Ray Resident Of Village - Ganga Tola Lodipur, P.S.- Maner, District- Patna.
2. Pradeep Kumar, Son Of Ram Ayodhya Ram Resident Of Village - Ganga Tola Lodipur, P.S.- Maner, District- Patna.
3. Ashok Kumar @ Hero, Son of Shrawan Ray Resident Of Village - Ganga Tola Lodipur, P.S.- Maner, District- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parashuram Singh- Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioners and learned APP
for the State through video conferencing.

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.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 372 litre of liquor and 350 litre of mahua was recovered from the cartons from the house of co-accused Sachin Kumar.

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



even the alleged recovery is from a place which does not belong to the petitioners. It is next submitted that they came to be implicated based on secret information which is the easiest way to implicate an innocent person in order to save the real culprit.

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 Special Case No.5074 of 2021 arisen out of Maner P. S. Case No.609 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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