

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27693 of 2022

Arising Out of PS. Case No.-289 Year-2021 Thana- SURSAND District- Sitamarhi

1. PINTU MAHTO SON OF GANESH MAHTO R/O- VILLAGE- BHITHA BAZAR, P.S.- SURSAND, DIST- SITAMRHI
2. RAJU CHAUDHARY @ RAJU KUMAR CHAUDHARY SON OF LAXMAN CHAUDHARY R/O- VILL- BHITHA BAZAR, PS.- SURSAND, DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-08-2022 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 Section 30(a) 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 63 litre of liquor kept on a cycle.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that even the cycle does not belong to the petitioners,



and their name transpired in the confessional statement of Subhash Sah in police custody which has no evidentiary value.

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. 10,000/- (Rupees Ten 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 Sursand P.S. Case No. 289 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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