

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30858 of 2022

Arising Out of PS. Case No.-415 Year-2021 Thana- SAHPUR District- Patna

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1. VIKKY PANDIT S/o Mahadev Pandit @ Mahavir Pandit R/o- Patlapur, P.S.- Sahpur, District- Patna
 2. Kunal Rai @ Kunal Kumar S/o Mithila Rai R/o- Maksudpur, P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-06-2022 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) and 37(c) of the Bihar Prohibition and Excise Act.

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

Allegation is of recovery of 15 litres of liquor from an orchard where three accused persons were arrested who disclosed the name of the petitioners and other accused persons who fled away after seeing the police.

Learned counsel for the petitioners further submits that admittedly the petitioners were not apprehended from the



spot, as such, nothing was recovered from their conscious possession and their name transpired based on the confessional statement of apprehended accused 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 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 Special Case No. 7191 of 2021 arising out of Shahpur P.S. Case No. 415 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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