

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33558 of 2022

Arising Out of PS. Case No.-493 Year-2021 Thana- JAGDISHPUR District- Bhojpur

1. ALGU SINGH @ SRI BHAGWAN SINGH @ SHREE BHAGWAN SINGH Son of Late Damari Singh Resident of Village - Neur Pokhar (Bichala Tola), P.S.- Jagdishpur, Distt.- Bhojpur.
2. Tigar Singh @ Tigar Son of Algu Singh @ Sri Bhagwan Singh @ Shree Bhagwan Singh Resident of Village - Neur Pokhar (Bichala Tola), P.S.- Jagdishpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2022 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 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 27 litre of liquor from polythenes and box from the Kodar of petitioner no. 1, further 15 litre of liquor is alleged to have been recovered from the Bathan of co-accused Hareram Singh.

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



recovered from his conscious possession, it is next submitted that petitioner has no concern from the Kodar as the said place does not belong to the petitioner, it is next submitted that police in a mechanical manner in order to save the real culprits falsely alleged that the Kodar belongs to the petitioner, it is also submitted that name of the petitioner transpired based on secret information which is the easiest way to implicate an innocent person.

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. 2,000/- (Rupees Two 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 Jagdispur P.S. Case No. 493 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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