

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33737 of 2022

Arising Out of PS. Case No.-550 Year-2021 Thana- BIDUPUR District- Vaishali

1. Pawan Kumar S/O Binda Prasad Singh R/O Village- Daudnagar, P.S.- Bidupur, District- Vaishali
2. Vikash Kumar S/O Suraj Rai @ Suraj Ray R/O Village- Daudnagar, P.S.- Bidupur, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Kumar Ranjan

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a) and 41(1) of the Excise Act.

The learned counsel for the petitioners submits that the petitioners have antecedent of one case and the allegation is of recovery of 7455.960 litre of liquor from a truck parked on Hajipur-Bidupur Highway near Khilawat village.

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 the petitioners are neither the owner, nor the driver of the truck and they came to be implicated by the local people as alleged in the F.I.R., but the F.I.R. does not even remotely suggest that who took the name of the petitioners when admittedly the name of the petitioners transpired not based on secret information.

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. 25,000/- (Rupees Twenty Five 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 Bidupur P. S. Case No.550 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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