

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36007 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- PARWALPUR District- Nalanda

1. Shambhu Kumar, Son Of Raj Kishor Prasad R/O- Vill- Gajin Bigha, P.S.- Parwalpur, Dist.- Nalanda
2. Chandan Kumar, Son Of Surendra Prasad R/O- Vill- Gajin Bigha, P.S.- Parwalpur, Dist.- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 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) of the Excise Act, 2018.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
allegation is of recovery of 10 litres of liquor from a place near
a canal in village Gajin Bigha.

The learned counsel for the petitioners submits that
petitioners were not arrested from the spot, as such, nothing was
recovered from their conscious possession. It is next submitted



that even recovery is from a place which is accessible to public at large and petitioners came to be implicated based on secret information which is the easiest way to implicate an innocent person when admittedly petitioners are persons with clean antecedent.

Learned A.P.P. opposes the 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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Parwalpur P. S. Case No.85 of 2022, 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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