

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38564 of 2022

Arising Out of PS. Case No.-237 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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1. RAM BILASH SINGH Son of Late Parmeshwar Singh Resident of Village Marhi, P.S. Sirdala, District - Nawada.
 2. Sanju Turia Son of Dilchand Turia Resident of Village Marhi, P.S. Sirdala, District - Nawada.
 3. Mahavir Singh son of Late Nilkanth Singh Resident of Mohanariya, P.S. Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 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 and 414 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 250 liters of liquor from the forest area situated at the outer area of village Madhi kalonda, further, 7600 kg of Mahua flower was found hidden inside the ground.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is further submitted that they came to be implicated based on secret information which is the easiest way to implicated an innocent person when admittedly the petitioners are persons with clean antecedent, it is also submitted that alleged recovery is from a place which does not belong to the petitioner and is accessible to the public at large.

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. 1,000/- (Rupees One 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 G.O. Case No. 237 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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