

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39439 of 2022

Arising Out of PS. Case No.-162 Year-2022 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Nitish Singh Son Of Bharath Singh Resident Of Village- Surwala, P.S- G.B. Nagar, District- Siwan
 2. Govinda Singh Son Of Jaglal Singh Resident Of Village- Surwala, P.S- G.B. Nagar, District- Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad- Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2022 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 Section
30(a) of the Excise Act.

The learned counsel for the petitioners submits that
the petitioner no.1 has antecedent of one case and petitioner
no.2 is a person with clean antecedent and the allegation is of
recovery of 34.560 litres of liquor from carton behind the
temple at village Sukhala.

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 even the alleged recovery is from a place which is accessible to the public at large and the petitioners came to be implicated 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. 5,000/- (Rupees 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 G. B. Nagar P. S. Case No.162 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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