

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45522 of 2022

Arising Out of PS. Case No.-349 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

1. AJAY KUMAR SON OF RAM BALI RAI
2. VIJAY KUMAR SON OF RAM BALI RAI
Both the petitioners i.e. (1) & (2) are R/O VILLAGE- BARAGAJARNATH,
P.S.- AHIYAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 36 and
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

Learned counsel for the petitioners submits that
petitioners have antecedent of one case.

Allegation is of recovery of 111.750 litre of liquor
from the house of the petitioners.

Learned counsel for the petitioners submits that



petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. He further submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the FIR itself records that no one stays at the house from where the alleged recovery was made. He next asserted and submits that the house does not belong to the petitioners.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ahiyapur P.S. Case No. 349 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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