

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47959 of 2022

Arising Out of PS. Case No.-152 Year-2022 Thana- CHANDI District- Bhojpur

1. NIRMAL SINGH S/o Late Ram Ayodhya Singh Resident of village- Yogata (Ramdihal Tola), P.S.- Chandi, District- Bhojpur.
2. Lal Babu Singh S/o Late Ram Ayodhya Singh Resident of village- Yogata (Ramdihal Tola), P.S.- Chandi, District- Bhojpur.
3. Ramakant Singh S/o Vinod Singh Resident of village- Yogata (Ramdihal Tola), P.S.- Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar Singh, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission to
withdraw the present anticipatory bail application with respect to
petitioner no.2, Lal Babu Singh.

Permission is accorded.

The petitioner nos. 1 and 3 apprehend their arrest in a
case registered for the offences punishable under Sections 30(a)
and 36 of the Bihar Excise Act.

Learned counsel for the petitioners submits that the
petitioners are persons with clean antecedent and allegation is of
recovery of 100 litres of liquor from a kiln situated at the bank of
Chharaki river.



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 next submitted that even the alleged place from where the recovery was made does not belong to the petitioner and is accessible to the public at large and the petitioners came to be implicated by the local people but the name of the local people is not disclosed in the F.I.R.

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 nos. 1 and 3, 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. 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/successor court in connection with Chandi P.S. Case No. 152 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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