

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48665 of 2022

Arising Out of PS. Case No.-406 Year-2022 Thana- BRAHMPUR District- Buxar

1. Deepak Singh Son of Satyendra Singh R/V- Arak, P.S- Brahmpur (Chakki O.P). Dist- Buxar
2. Aakash Kumar Singh @ Aakash Kumar Son of Mutur Singh @ Sugrim Singh @ Sugriv Singh R/V- Arak, P.S- Brahmpur (Chakki O.P). Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Brahmpur (Chakki OP) P.S. Case no. 406 of 2022 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 18 liters illicit country made liquor from plastic bag when the accused persons trying to fly away from motorcycle.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery of illicit liquor or



with the place of occurrence. The name of the petitioners have been disclosed in this case on confessional statement of the co-accused persons, who were arrested spot. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from their conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Brahmpur (Chakki OP) P.S. Case no. 406 of 2022, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2, Buxar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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