

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53945 of 2022

Arising Out of PS. Case No.-169 Year-2020 Thana- JALALPUR District- Saran

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1. SAROJ NUT @ CHUNMUN NUT S/O GENA NUT Resident of Village- Mangatolapur, P.S.- Jalalpur, District- Saran.
 2. NAGENDRA NUT S/O JAWAHART NUT Resident of Village- Mangatolapur, P.S.- Jalalpur, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2022 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.

Learned counsel for the petitioners submits that petitioners have antecedent of one case and allegation is of recovery of 150 liters of soaked java mahua from various plastic boxes which was destroyed at the spot and eight liters of liquor from a hut situated near a canal.

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 the alleged hut does not belong to the petitioner and he came to be implicated at the instance of the Chowkidar with whom they are on an inimical term.

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. 10,000/- (Rupees Ten 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 Jalalpur P.S. Case No. 169 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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