

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64902 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- AURAI District- Muzaffarpur

1. RAJ KUMAR SHARMA S/o Radhey Shyam Sharma Resident of Village- Bharthua, P.S.- Aurai, District- Muzaffarpur.
2. Viabhav Kumar @ Vikky S/o Raj Kumar Sharma Resident of Village- Bharthua, P.S.- Aurai, District- Muzaffarpur.
3. Rajat Kumar @ Chhote Kumar @ Chhotu Kumar S/o RAj Kumar Sharma Resident of Village- Bharthua, P.S.- Aurai, District- Muzaffarpur.
4. Sudhak Kumar S/o Hemanshu Roy Resident of Village- Bharthua, P.S.- Aurai, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Punam Shrivastava

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-06-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 272, 273 of the Indian Penal Code and under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 40 liters of spirit has been recovered from the courtyard of co-accused, Santosh Rai, which is alleged to be hidden by these petitioners.

Learned counsel appearing for the petitioners submits



that petitioners are innocent and have falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioners and they are no way concerned with the alleged recovery. Recovery has been made from the courtyard of co-accused, Santosh Rai. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in connection with Aurai PS case No. 34/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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