

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62390 of 2022

Arising Out of PS. Case No.-126 Year-2022 Thana- CHHAURADANO District- East
Champaran

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1. ASHOK RAM S/o Jangi Ram Resident of village- Ekdari, P.S.-
Chhauradano, District- East Champaran
 2. GOVINDA KUMAR S/o Ashok Ram Resident of village- Ekdari, P.S.-
Chhauradano, District- East Champaran
 3. KUNTI DEVI W/o Ashok Ram Resident of village- Ekdari, P.S.-
Chhauradano, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 30(a),
41(1) and 32 of the Bihar Excise Act.

Learned counsel for the petitioners submits that
petitioner nos. 1 and 2 have antecedent of two cases, petitioner
no.3 is a person with clean antecedent and allegation is of
recovery of 112.400 liters liquor from a jute bag kept in a hut.

Learned counsel for the petitioners submits that
petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession and they came to be implicated based on the confessional statement of co-accused Amit Kumar in police custody which does not have any evidentiary value, it is next submitted that since Amit Kumar is related to the petitioners as such in a mechanical manner, they also came to be implicated when petitioners admittedly are not owners of the alleged vehicles.

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. 20,000/- (Rupees Twenty 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 Chhauradano P.S. Case No. 126 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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