

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62032 of 2022

Arising Out of PS. Case No.-630 Year-2022 Thana- SARAIYA District- Muzaffarpur

1. RAHUL KUMAR Son of Subodh Rai R/V- Gopinathpur Doghra, P.S- Saraiya, Dist- Muzaffarpur
2. Manish Kumar Son of Nandu Sah R/V- Gopinathpur Doghra, P.S- Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-11-2022 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 Sections 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of one case and petitioner no. 2 has antecedent of three cases and allegation is of recovery of 01.26 liters of liquor from the house of Deepak Kumar.

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 petitioners came to be implicated in the confessional statement of Deepak Kumar in police custody which does not have any evidentiary value.

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. 15,000/- (Rupees Fifteen 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 Saraiya P.S. Case No. 630 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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