

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62025 of 2022

Arising Out of PS. Case No.-346 Year-2022 Thana- JOKIHAT District- Araria

1. KAUSHIK BAGCHI @ KASIK BAGCHI Son of Kamal Bagchi R/V- Ranidanga, P.S- Bagdogra, Dist- Darjeeling (West Bengal)
2. Mintu Das @ Khelta Son of Nimay Das @ Nimai Das R/V- Ranidanga, P.S- Bagdogra, Dist- Darjeeling (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Nityanand, 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 272, 273 and 420 of the Indian Penal Code and Section 30(a), 32(i)(ii), 36 and 41(i)(ii) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 1033.5 liters of liquor from a mini truck.

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 petitioner is not named in the FIR and his name transpired in the confessional statement of Rahat Khan. Learned counsel next submits that petitioner is neither the owner nor the driver of the alleged truck.

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. 1,000/- (Rupees One 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 Joki har (Mahalgaon) P.S. Case No. 346 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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