

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64324 of 2022

Arising Out of PS. Case No.-206 Year-2022 Thana- RAJNAGAR District- Madhubani

1. MD. MAKSUD ALLAM S/o Nur Hasan Ansari @ Majil R/v- Sarisabpahi, P.S.- Pandaul, District- Madhubani
2. SANJIV KUMAR THAKUR S/o Ras Narain Thakur @ Ram Narayan Thakur R/v- Primary School, Balani Mahath, P.S.- Bhairavsthan, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2022 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 272, 273 and 34 of the Indian Penal Code read with Sections 30(a) and 41(1) of the Bihar Excise Act.

Learned counsel for the petitioners submits that petitioners have antecedent of one case and allegation is of recovery of 90 litres liquor from a Hyundai Verna car and 153 litres liquor from an i10 car.

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 in the present case based on the confessional statement of Vinod Kumar, Ratish Kumar and Satish 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 and submits that the petitioners have not pleaded with respect to the ownership of the alleged vehicles so it may be a possibility that the vehicles belong to the petitioners and they were involved in liquor trade.

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. 25,000/- (Rupees Twenty Five 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 Rajnagar P.S. Case No. 206 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioners shall verify the ownership of the vehicles and in the event, if it is found that any of the vehicles belong to the



petitioners, then the present anticipatory bail order shall not be
acted upon.

(Satyavrat Verma, J)

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