

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67629 of 2022

Arising Out of PS. Case No.-118 Year-2022 Thana- DUMRA District- Sitamarhi

1. Shivji Sah, Son Of Late Ram Brichh Sah R/V- Banchauri, P.S.- Dumra, District- Sitamarhi
2. Bhagwan Lal Sah, Son Of Shivji Sah R/V- Banchauri, P.S.- Dumra, District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha
For the Opposite Party/s : Ms. Rita Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioners and learned APP
for the State through video conferencing.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act, 2016.

The learned counsel for the petitioners submits that the petitioners have antecedent of one case and the allegation is of recovery of 16.875 litres of liquor from a hut situated beside the road at Banchauri village.

The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is next submitted that they came to be implicated at the instance of Police Officer. It is also



submitted that petitioners are not the owner of the alleged hut.

Learned A.P.P. opposes the bail application.

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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Dumra P. S. Case No.118 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, the learned trial Court before accepting the bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have more than one antecedent, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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