

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71000 of 2022

Arising Out of PS. Case No.-261 Year-2021 Thana- SISWAN District- Siwan

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1. RITESH KUMAR SINGH @ RITESH KU. SINGH S/o Kameshwar Singh @ Baleshwar Singh R/o Village- Shubhankar Chapra Dihpar, P.S.-Siswan.
 2. Baleshwar Singh @ Kameshwar Singh S/o Late Bacha Singh R/o Village- Shubhankar Chapra Dihpar, P.S.-Siswan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 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 and 273 of the Indian Penal Code and Sections 30(a) and 38(1) of the Bihar Excise Act.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 100 litres of liquor from Kameshwar Singh's house.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case,



it is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession, it is also submitted that it has been specifically pleaded that the house is a jointly family property and no prudent person would use his own house for committing a crime and thus creates evidence against himself.

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 Ten 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 Siswan P.S. Case No. 261 pf 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Learned trial court before accepting the bail bonds of the petitioners shall verify their criminal antecedent and if it is found that the petitioners have antecedent even of a



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

(Satyavrat Verma, J)

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