

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67381 of 2022

Arising Out of PS. Case No.-126 Year-2022 Thana- CHANAN District- Lakhisarai

1. SURESH KORA Son of Barish Kora R/V- Kachhua, P.S- Chanan, Dist- Lakhisarai
2. Charitra Kora Son of Navin Kora R/V- Kachhua, P.S- Chanan, Dist- Lakhisarai
3. Situ Kora Son of Parmeshwar Kora R/V- Kachhua, P.S- Chanan, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 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 30(a)(b)(c) of the Bihar Excise Act.

Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case, petitioner nos. 2 and 3 have antecedent of four cases and allegation is of recovery of 30 litres liquor near a forest mountain region in village Kachhua and 6000 litres *jawa mahua* which was destroyed at the spot.

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 at the instance of *chowkidar* because of their antecedents, it is further submitted that even the alleged recovery is from a place which is accessible to public at large.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty 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 Chanan P.S. Case No. 126 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 their criminal antecedents and in the event, if it is found that the petitioners have got more criminal antecedents than what has been recorded in the present order, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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