

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67387 of 2022

Arising Out of PS. Case No.-180 Year-2022 Thana- CHARPOKHARI District- Bhojpur

1. RAJU SINGH S/O Rajbali Singh R/O Village- Thegawa, P.S- Charpokhari, District- Bhojpur
2. Bitu Singh S/O Shivjanam Singh R/O Village- Badiya, P.S- Charpokhari, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, 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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 60 litres liquor from a motorcycle.

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 local *chowkidar*, it is further



submitted that petitioners are neither the owner nor the driver of the alleged motorcycle.

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. 5,000/- (Rupees 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 Charpokhari P.S. Case No. 180 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 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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