

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67024 of 2022

Arising Out of PS. Case No.-345 Year-2022 Thana- RIGA District- Sitamarhi

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1. RAMJEE RAI @ RAMJEE KUMAR Son of Late Shankar Rai R/v- Narsana, P.S.- Riga, District- Sitamarhi
 2. AMAN SINGH @ SATYAM RAM @ SATYAM RAJ Son of Sri Nirnay Singh R/v- Narsana, P.S.- Riga, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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 the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioners submits that petitioners have antecedent of one case.

Allegation is of recovery of 308.940 litres of liquor from a pickup van at village Chorahi and 60 litres of liquor from the office of Ex-Surpanch.

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 further submitted that petitioners



came to be implicated at the instance of local villagers and Chawkidar when the FIR does not disclose the name of the villagers and with the Chawkidar, the petitioners were on an inimical term. It is next submitted that petitioners are neither the owner nor the driver of the alleged vehicle.

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.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/successor court in connection with Riga P.S. Case No. 345 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 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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