

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72274 of 2022

Arising Out of PS. Case No.-378 Year-2022 Thana- NAVINAGAR District- Aurangabad

1. Nikhil Kumar, Son Of Late Krishan Singh Resident Of Village - Ratanua, P.S.- Nabinagar, District - Aurangabad, Bihar.
2. Narendra Singh, Son Of Balkesh Singh Resident Of Village - Ratanua, P.S.- Nabinagar, District - Aurangabad, Bihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Chandna- Advocate

For the Opposite Party/s : Mr. Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-12-2022 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.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
allegation is of recovery of 8.640 litres of liquor from a bag
from Ratanua 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 and they came to be



implicated at the instance of anonymous local people.

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. 1,000/- (Rupees One 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 Nabinagar P. S. Case No.378 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 any criminal antecedent, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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