

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17307 of 2023**

Arising Out of PS. Case No.-14 Year-2023 Thana- CHARPOKHARI District- Bhojpur

1. KAMLESH @ JHABAR @ KAMLESH KUMAR Son of Bhuteli Yadav @ Bhuteli Singh R/V- Pritampur, P.S- Charpokhari Dist- Bhojpur
2. Shardhanand Singh @ Shardanand Singh Son of Ram Prasad Singh R/V- Pritampur, P.S- Charpokhari Dist- Bhojpur
3. Arun Singh Son of Srinath Singh R/V- Pritampur, P.S- Charpokhari Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 10-05-2023 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 30(a), 30 (c) of the Bihar Excise Act.

The learned counsel for the petitioners at the outset submits that petitioner no. 3 Arun Singh was arrested during pendency of the anticipatory bail application and thus seeks permission to withdraw the present anticipatory bail application against Arun Singh.

Permission is accorded.

Learned counsel for the petitioners submits that the petitioner no. 1 and 2 are persons with clean antecedent and allegation is of recovery of 50 liters of liquor from bank of



Banash river and 10 liters of liquor from Amarjit Chouhan.

Learned counsel for the petitioners submits that the petitioner no. 1 and 2 were not apprehended from the spot as such nothing was recovered from their conscious possession and even the 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 petitioner no. 1 and 2.

Considering the submissions made by the learned counsel for the petitioner no. 1 and 2, 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 One 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 Charpokhari P.S. Case No. 14 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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