

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15579 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- NAUTAN District- West Champaran

1. SERAJUL MIYAN @ SARAJUL MIYAN SAHAMAD MIYAN VILLAGE- SHIVRAJPUR, P.S.- NAUTAN, DISTRICT- WEST CHAMPARAN (BETTIAH)
2. AMAR PASWAN SON OF JODHA HAJRA @ YODHYA PASWAN VILLAGE- SHIVRAJPUR, P.S.- NAUTAN, DISTRICT- WEST CHAMPARAN (BETTIAH)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 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) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case and allegation is of recovery of 54 liters of liquor as can be seen from the seizure list, it is next submitted that, inadvertently, at Para 4, it has been recorded that 72 liters of liquor was recorded.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession and they came to be implicated based on confessional statement of co-accused Nandu Baitha which has no evidentiary value.

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 trial court 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 trial court where the case is pending/successor court in connection with Nautan P.S. Case No. 22 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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