

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21545 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- ARER District- Madhubani

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1. RAKESH KAMAT S/O DILKUMAR KAMAT @ DIL KUMAR KAMAT
Resident of Village- Sinuwara, P.S.- Arer, District- Madhubani.
 2. DEEPAK KAMAT S/O HARKIT KAMAT Resident of Village- Sinuwara,
P.S.- Arer, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 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 Section 30(a) of the Bihar Excise Act and Sections 272, 272 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 5.055 liters of liquor from the hut of Bhangi Kamat.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next



submitted that even the alleged recovery is from a place which does not belong to the petitioners and came to be implicated based on the secret information which is the easiest way to implicate someone, when admittedly petitioners are persons with clean antecedent.

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. 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 Arear P.S. Case No. 217 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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