

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16152 of 2023**

Arising Out of PS. Case No.-472 Year-2022 Thana- SIRDALA District- Nawada

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1. MANJAY RAJBANSHI S/o Nanku Rajbanshi @ Nanhaku Rajvanshi
Resident at-Pandedih, Post-Sirdala, P.S.-Sirdala, Dist.-Nawada
 2. SANJAY RAJBANSHI S/o Nanku Rajbanshi @ Nanhaku Rajvanshi
Resident at-Pandedih, Post-Sirdala, P.S.-Sirdala, Dist.-Nawada
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Barial, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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(c) and 41 of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 3,000 liters Mahua Pass from the jungle.

Learned counsel for the petitioners submits that the petitioners were not arrested 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 is accessible to public at large and the petitioners came to be implicated based on confessional statement of an apprehended accused in police custody which does not have any 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. 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 Sirdalla P.S. Case No. 472 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

At this stage, the learned counsel for the petitioners seeks permission to make rectification in Para-1 of the anticipatory bail application.

Permission is accorded.

(Satyavrat Verma, J)

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