

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17899 of 2023

Arising Out of PS. Case No.-563 Year-2021 Thana- RAJAOLI District- Nawada

1. Rajendra Singh Son Of Sohar Singh Resident Of Village- Nawadih, Po - Hardiya, Ps- Rajauli, Pin - 805125, District- Nawada
2. Kishun Singh Son Of Kewal Singh @ Chando Singh Resident Of Village- Nawadih, Po - Hardiya, Ps- Rajauli, Pin - 805125, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivek Kumar Sinha

For the Opposite Party/s : Mr. Arun Kumar

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)(d) and 41 of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners no.1 has antecedent of one case whereas petitioner no.2 is a person with clean antecedent and allegation is of recovery of 210 litres of liquor from a drum from a forest.

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 further



submitted that the alleged recovery is from a place which is accessible to public at large and they came to be implicated based on confessional statement of co-accused in police custody which does not have evidentiary value, further the petitioners have no concern with the seized motorcycle.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajauli P.S. Case No. 563 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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