

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27454 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- SARAI RANJAN District- Samastipur

1. SUDHIR KUMAR @ SUDHIR PASWAN SON OF HEMAN PASWAN
Resident of village - Bahadurpur Kancha, P.S. - Sarairanjan, Distt. -
Samastipur
2. BIPIN KUMAR SON OF JAY PRAKASH PASWAN Resident of village -
Bahadurpur Kancha, P.S. - Sarairanjan, Distt. - Samastipur
3. MUNCHUN PASWAN SON OF MOHAN PASWAN Resident of village -
Bahadurpur Kancha, P.S. - Sarairanjan, Distt. - Samastipur
4. PARVINDAR KUMAR @ PARVINDAR KUMAR SON OF RAM
PRASAD PASWAN Resident of village - Bahadurpur Kancha, P.S. -
Sarairanjan, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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), 41(1) and 41(2) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

1320.81 litres of liquor was recovered from a truck and a motorcycle and one Shiv Kumar was arrested at the place of occurrence who disclosed the name of the petitioner.



Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and he came to be implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value in the eye of law. It is further submitted that petitioner is neither the owner of the truck nor the 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.1,000/- (Rupees One 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 Sarairanjan P.S. Case No. 23 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

