

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26374 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

1. RAJU SHARMA @ RAJU KUMAR SHARMA Son of Bhikhari Thakur
Resident of village - Isha Chhapra, P.S.- Sahebganj, Dist.- Muzaffarpur.
2. Sona Das @ Sonelal Das Son of Late Prabhu Das Resident of village - Isha
Chhapra, P.S.- Sahebganj, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 272,
273 and 34 of the Indian Penal Code and under Section
30(a) 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 117 liters of liquor from the
straw house of petitioner no. 1 and 27 liters of liquor from
the hut of petitioner no. 2.

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 the straw house is a place outside of the house and is accessible to villagers at large and no prudent person would keep liquor in his own premises to get implicated easily. It is next submitted that though it is alleged that 27 liters of liquor was recovered from hut of petitioner no. 2, but then petitioner no. 2 lives in his house and the hut is an open space which is also accessible to public at large, it is next submitted that no prudent person would keep liquor in his own hut and would get implicated easily.

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 Sahebganj P.S. Case No. 57 of 2023 subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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