

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27379 of 2023

Arising Out of PS. Case No.-303 Year-2023 Thana- TURKAULIYA District- East
Champaran

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1. MANOJ BHAGAT SON OF HARNDEO BHAGAT R/O VILLAGE-SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN
 2. UMESH BHAGAT SON OF YOGENDRA BHAGAT R/O VILLAGE-SEMRA BHOLA TOLA, P.S.- TURKAULIYA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

For the Opposite Party/s : Mr. Nityanand, 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 272, 273/34 of the Indian Penal Code and Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2018.

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

Allegation is of recovery of 5.625 litres of liquor from the shop of the petitioners.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is further submitted



that petitioners came to be implicated at the instance of the local people but then the name of the local people is not mentioned in the FIR which creates doubt with regard to the veracity of the allegation as alleged in the FIR. It is next submitted that petitioners have been implicated alleging that they are owner of the shop, when learned counsel asserts and submits that the shop does not belong to the petitioners and this aspect of the matter was not investigated by the police.

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 Turkauliya P.S. Case No. 303 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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