

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28068 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- MAINATAND District- West Champaran

1. Abdullah Dewan Son Of Late Mehendi Devan Resident Of Village Pashchim Pakuhwa, Ps- Mainatand, Distt- West Champaran
2. Bharu Main @ Baharu Mian Son Of Ali Ahmad Resident Of Village Pashchim Pakuhwa, Ps- Mainatand, Distt- West Champaran
3. Buchi Miyan @ Mumtaz Alam @ Bachu Miyan Son Of Mojahil Mian @ Mojaheer Miyan @ Mojaheer Moyan Resident Of Village Pashchim Pakuhwa, Ps- Mainatand, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case and petitioner nos. 2 and 3 are persons with clean antecedent and allegation is of recovery of 144 litres of liquor from Pakuhwa village.

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 next submitted that even the alleged recovery is from a place which is accessible to public at large and does not belong to the petitioners and they came to be implicated based on the confessional statement of Parma Paswan 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Mainatand P.S. Case No. 31 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

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

