

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29558 of 2023

Arising Out of PS. Case No.-363 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. RAJHANSH KUMAR son of Late Bipin Yadav Village- Gyan Tol, Ps-
Sahebpur Kamal, dist- Begusarai
 2. Bibhishan Yadav @ Bibhishan Kumar son of Yogi Yadav @ Jogi Yadav
Village- Gyan Tol, Ps- Sahebpur Kamal, dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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
petitioner no.1 is a person with clean antecedent and petitioner
no.2 has antecedent of one case and allegation is of recovery of
16 litres of liquor from an area near a *diyara*.

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 at the instance of the *Chowkidar* with whom they are on an inimical term.

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 S. Kamal P.S. Case No. 363 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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