

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31824 of 2023**

Arising Out of PS. Case No.-22 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

1. AJIT SINGH SON OF RAMNATH SINGH R/O-PAHARPUR, P.S.-
BAIKUNTHPUR, DISTT.-GOPALGANJ
2. SUJIT SINGH @ SUJEET SINGH SON OF RAMNATH SINGH R/O-
PAHARPUR, P.S.-BAIKUNTHPUR, DISTT.-GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 petitioners have antecedent of four cases and allegation is of recovery of 70 liters of liquor from a place near a chicken form.

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 even the alleged recovery is from a place which does not belong to the petitioners, but is near their chicken form. It is further submitted that they came to be implicated by the villager



but then the F.I.R. does not record the name of the villager who disclosed the name of the petitioners which creates doubt with regard to veracity of the allegation as alleged in the F.I.R. It is also submitted that police falsely implicated the petitioners by alleging that their names were disclosed by the villagers.

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. 25,000/- (Rupees Twenty Five 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 Baikunthpur P.S. Case No. 22 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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