

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31166 of 2023

Arising Out of PS. Case No.-227 Year-2022 Thana- JANTA BAZAR District- Saran

1. MUKESH SAH @ MUKESH KUMAR SAH s/o Prabhunath Sah @ Prabhu Sah Residents of Village- Kateya, P.S.- Janta Bazar, District- Saran
2. UMESH SAH s/o PRABHUNATH SAH @ PRABHU SAH Residents of village- Kateya, P.S. Jatna Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 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 30(a) and 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioners submits that petitioners have antecedent of one case.

Allegation is of recovery of 70 litres of liquor from a toilet tank.

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 even the tank does not belong to the petitioners and is accessible to public at large including the villagers. It is next submitted that petitioners came to be implicated because of their antecedent.

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 Janta Bazar P.S. Case No. 227 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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