

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32455 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- CHORAUT District- Sitamarhi

1. BIPIN PANJIYAR @ BIPAT PANJIYAR Son of Nakchhedi Panjiyar R/o vill - Gangaur, ward no. 4, P.s. - Harlakhi, Distt. - Madhubani
2. Chandan Panjiyar Son of Bipin Panjiyar @ Bipat Panjiyar R/o vill - Gangaur, ward no. 4, P.s. - Harlakhi, Distt. - Madhubani
3. Jitan Panjiyar Son of Bipin Panjiyar @ Bipat Panjiyar R/o vill - Gangaur, ward no. 4, P.s. - Harlakhi, Distt. - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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 offence punishable under Section 30(a) of the Bihar Excise Act and Section 414 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 37. 2 liters of liquor from a motorcycle.

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 they came to be implicated based on confessional statement of co-accused in police custody which does not have any evidentiary value, it is further submitted that petitioners are not the owner of the motorcycle.

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. 1,000/- (Rupees One 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 Choraut P.S. Case No. 188 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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