

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32476 of 2023

Arising Out of PS. Case No.-104 Year-2021 Thana- KURTHA District- Jehanabad

1. SHAILESH KUMAR Son of Jayram Singh Resident of village - Chamandi, P.S. - Kurtha, Distt. - Arwal
2. Ramanuj Yadav Son of Yugesh Singh Resident of village - Chamandi, P.S. - Kurtha, Distt. - Arwal
3. Jitendra Singh @ Chachu Son of Rajnandan Singh @ Bhui Singh Resident of village - Chamandi, P.S. - Kurtha, Distt. - Arwal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, 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.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case and allegation is of recovery of 135 liters of liquor from two motorcycles.

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 owners of the motorcycles.

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. 5,000/- (Rupees 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 Kurtha P.S. Case No. 104 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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