

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38776 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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1. SURAJ KUMAR Son of Shree Kiran Bind @ Kiran Kumar Resident of Village - Khagaur, Police Station - Lakhisarai, District - Lakhisarai.
 2. Bipendra Kumar Son of Late Ram Bilash Bind Resident of Village - Maharani Asthan Ke Pass, Khagaur, Police Station - Lakhisarai, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-07-2023 Heard Dr. Anjani Pd. Singh, learned counsel for the petitioners and Mr. Tapeswar Sharma, learned Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection with Excise PS (Lakhisarai) Case No. 58C-2/2023 dated 19.01.2023 registered for the offence punishable under Sections 30(a), 45 of Bihar Prohibition & Excise Act.

3. As per FIR, Sub Inspector, Excise along with police party on the basis of secret information arrived at the place of occurrence and upon seeing them, the accused persons started fleeing away. However, two accused persons succeeded in the same and one Randhir Kumar was apprehended who disclosed the name of the petitioners. Further, total quantity of



ten litres of liquor has been recovered from the place of occurrence i.e., a hut structure.

4. Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent and they have been implicated in this case on the basis of disclosure of their name by the arrested co-accused person. He further submits that from perusal of the seizure list, it would be evident that the hut does not belong to the petitioners and it has vaguely been mentioned that the hut belongs to the accused persons.

5. Regards being had to the submissions made by the parties, taking into consideration the material on record and the fact that no liquor has been recovered from the conscious possession of the petitioners and the petitioners have got clean antecedent, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Court-II, Lakhisarai-cum-Additional District Judge-V, in connection with Excise PS (Lakhisarai) Case No. 58C-2/2023, subject to



the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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