

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39459 of 2023

Arising Out of PS. Case No.-569 Year-2022 Thana- BIDUPUR District- Vaishali

1. RAUSHAN KUMAR S/O SHAMBHU PASWAN @ SHAMBHU BHGAT
R/O Vill. Daudnagar Pethiya, Chakgarho Daudnagar, PS. Bidupur, Dist.
Vaishali
2. RAJESH KUMAR S/O SHAMBHU PASWAN @ SHAMBHU BHGAT
R/O Vill. Daudnagar Pethiya, Chakgarho Daudnagar, PS. Bidupur, Dist.
Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupa Kumari
For the Opposite Party/s : Mr. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-06-2023 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
petitioner No. 1 has antecedent of one case and petitioner No. 2
is a person with clean antecedent and allegation is of recovery
of 30 liters of liquor from a Banana Orchard of Chandrabali
Paswan.

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 the secret information which is the easiest way to implicate someone when admittedly, the alleged recovery is from a place which does not belong to the petitioners and is accessible to public at large.

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 Bidupur P.S. Case No. 569 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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