

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37199 of 2023

Arising Out of PS. Case No.-450 Year-2022 Thana- KESARIA District- East Champaran

1. SURENDRA MAHTO SON OF TUFANI MAHTO RESIDENT OF VILLAGE - BAIRIYA, WARD NO.5, P.S. - KESARIYA, DISTRICT - EAST CHAMPARAN
2. RAJENDRA SAHANI @ DODHA SAHANI @ DHODA SAHANI SON OF RAGHUNATH SAHANI RESIDENT OF VILLAGE - MAJHARIYA TOLA MUJBANIYA, P.S. - KESARIYA, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Sharan Tiwari
For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2023 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 and Sections 272, 273 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 15 liters of liquor from a place near a Dam.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession and they came to be implicated based on the disclosure made by nearby people but then the FIR does not disclose the name of the persons who disclosed the name of the petitioners, it is next submitted that even the alleged recovery is from a place which is accessible to public at large and does not belong to the petitioner.

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 Kesariya P.S. Case No. 450 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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