

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40858 of 2023

Arising Out of PS. Case No.-464 Year-2023 Thana- ALAMGANJ District- Patna

1. Sonu Kumar, Son of Mahendra Prasad, Resident of Village- Mohalla Sakri Gali, P.S.- Alamganj, Distt- Patna.
2. Bimal Kumar, Son of Shankar Prasad, Resident of Village- Machharhatta, P.S.- Khajekalan, Distt- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners in the present case are seeking pre-arrest bail in connection with Alamganj P.S. Case No. 464 of 2023 registered for the offences under Section 30(a) of the Bihar Prohibiton & Excise Act. They have no criminal antecedent.

3. As per the prosecution story, the informant got secret information regarding sell and purchase of liquor. The informant reached at the given place and apprehended one Mukesh Kumar and Neha Devi. The police recovered 19.5 litres of illicit wine and the apprehended persons disclosed that Sonu Kumar and Bimal Kumar managed to escape.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. It is further submitted that the name of these petitioners have transpired in the statement of apprehended accused persons in police custody. It is submitted that nothing has been recovered from the place related to the petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that 19.5 litre illicit liquor is alleged to have been recovered from co-accused Mukesh Kumar and Neha Devi, name of the petitioners has come in the statement of apprehended accused in police custody, the petitioners have otherwise no criminal antecedent, hence, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners shall be released on bail in connection with Alamganj P.S. Case No. 464 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna City, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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