

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41717 of 2023

Arising Out of PS. Case No.-201 Year-2023 Thana- KOTWA District- East Champaran

1. ADITYA THAKUR S/O LATE KRISHNA THAKUR R/O VILLAGE-JASAUJI, PS. BHOPATPUR (O.P.), DIST. EAST CHAMPARAN
2. TUNNA UPADHYAY S/O MADAN UPADHYAY R/O VILLAGE-JASAUJI, PS. BHOPATPUR (O.P.), DIST. EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2023 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 Sections 30(a), 32 and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 472.75 liters of liquor from a place near a canal.

Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the alleged recovery is from a place which is accessible to public at large



and they came to be implicated at the instance of *Chowkidar* with whom they are on an inimical term.

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 Kotwa P.S. Case No. 201 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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