

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44325 of 2023

Arising Out of PS. Case No.-599 Year-2022 Thana- MAHUA District- Vaishali

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1. JITENDRA SAH @ JITENDRA KUMAR S/O RAMCHANDRA SAH R/O Village- Madhopur Rupaul Tariya, P.S- Mahua, Distt.- Vaishali.
 2. Dharmendra Paswan S/O Sheoji Paswan R/O Village- Parsauniya Madhopur, P.S- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 414/34 of the Indian Penal Code as well as Sections 30(a), 32(ii), 34(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioners are person with clean antecedent.

4. Allegation is of recovery of 2434.080 litres of liquor from a truck and a Bolero Pickup.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and they came to be



implicated based on the secret information which is the easiest way to implicate someone when admittedly petitioners are persons with clean antecedent and are not the owner of the seized vehicle.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. 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 Court below 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 court below where the case is pending/successor court in connection with Mahua P.S. Case No. 599 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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