

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44333 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- RAJAPAKAR District- Vaishali

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1. CHANDAN KUMAR @ CHANDAN RAI Son of Jethu Roy @ Jedhu Roy
Resident of village - Rajapakar South, P.S.- Rajapakar, District - Vaishali.
 2. Bipin Kumar @ Bipin Rai Son of Nirbhay Roy Resident of village -
Rajapakar South, P.S.- Rajapakar, District - 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. Ahmad Ali, 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2022.

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

4. Allegation is of recovery of 40 litres of liquor from
the bamboo orchard of Harinarayan Rai.

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 by the villagers but then the FIR does not disclose



the name of the villagers who disclosed the name of the petitioners. It is further submitted that even the alleged recovery is from a place which does not belong to the petitioners.

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 Rajapakar P.S. Case No. 130 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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