

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43043 of 2023**

Arising Out of PS. Case No.-18 Year-2023 Thana- NAYAGAON District- Saran

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1. Maley Rai @ Naresh Rai @ Malai Rai S/O Manoranjan Rai R/O Village- Hasilpur, Ps. Nayagaon, Dist. Saran
  2. Sonu Kumar S/O Umesh Rai @ Matikhayan R/O Village- Hasilpur, Ps. Nayagaon, Dist. Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      11-07-2023                      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 Section 30(a) 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 200 litres of liquor from the diyara area and one motorcycle was also seized.

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 confessional statement of Bittan Kumar in police custody which does not have any evidentiary value, it is further submitted that the petitioners are not the owners of the seized vehicle.

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 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 Nayagaon P.S. Case No. 18 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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