

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44330 of 2023

Arising Out of PS. Case No.-75 Year-2023 Thana- BIHIA District- Bhojpur

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1. GOLU SINGH Son of Jawahir Singh Resident of village - Belwania, P.S. - Bihiya, Distt. - Bhojpur
 2. Dharmendra Sah Son of Late Gopal Sah Resident of village - Belwania, P.S. - Bihiya, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate Mr. Shivam Kumar, Advocate Mr. Prashant Sharma, Advocate Mr. Sudhakar Ranjan, Advocate
For the Opposite Party/s :		Mr. Rabindra Kumar, 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 (Amendment) Act, 2018.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.
4. Allegation is of recovery of 50 litres of liquor from a place near the Dhaus River.
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 it appears that



the Chawkidar with a view to save the real culprits falsely implicated the petitioners when admittedly they are persons with clean antecedent and the alleged recovery is also from a place which is accessible to public at large.

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 Bihiya P.S. Case No. 75 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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