

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49274 of 2023

Arising Out of PS. Case No.-65 Year-2023 Thana- DIGHWARA District- Saran

1. BITTU KUMAR @ BITTU KUMAR RAY @ BITTU RAI Son of Surendra Ray Resident of village - Saidpur Bagahi, P.S. - Dighwara, Distt. - Saran at Chapra
2. Sikandar Kumar Son of Ajay Prasad Gupta Resident of village - Saidpur, P.S. - Dighwara, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, 7.500 liter of foreign liquor has been recovered from the brinjal field of petitioner No.1.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioners and



they are no way concerned with the alleged recovery rather recovery has been made from an open field. Petitioners have got no criminal antecedent of similar nature.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail.

6. Considering the facts of the case and nature of accusation against the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum- Special Judge, Excise Act, Saran at Chapra in connection with Dighwara PS case No. 65/ 2023, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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