

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51282 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- SAHPUR District- Patna

1. Shyam Nandan Kumar @ Shyam Nandan Rai Son Of Laldeo Rai Resident Of Village - Gangahara Parwa Tola, P.S. - Shahpur, District - Patna
2. Pappu Rai Son Of Degree Rai Resident Of Village - Phutani Bazar, P.S. - Shahpur, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Shahpur P.S. Case No. 114 of 2023 registered for the offences punishable under Sections 30(a), 41 and 56 of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of total recovery of 250 liters country-made liquor from a bush situated at Phutani market and one motorcycle was also sized.

4. 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 at the instance of the villagers but the FIR does not disclose the name of the villagers who disclosed the name of the petitioners, it is also submitted that petitioners are not the owner of the seized motorcycle.

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

6. 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 trial court 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 Shahpur P.S. Case No. 114 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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