

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54407 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

1. Saddam Alam @ Taukir Alam Son Of Mahmud Alam Resident Of Village-Salehpur, Ps- Bishambharpur, Dist- Gopalganj
2. Ramjan Alam @ Sahil Alam Son Of Bachcha Mian Resident Of Village-Salehpur, Ps- Bishambharpur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Bishambharpur P.S. Case No. 85 of 2023 registered for the offences punishable under Sections 30(a) and 41 of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 466.560 litres of liquor from a car.

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 villagers but then the FIR does not disclose the name of the person who disclosed the name of the petitioner which casts an aspersion on the case of the prosecution when admittedly the petitioners are not owner of the seized vehicle.

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 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 Bishambharpur P.S. Case No. 85 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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