

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56257 of 2023

Arising Out of PS. Case No.-262 Year-2023 Thana- MESKAUR District- Nawada

1. NANDLAL KUMAR@NANDU SON OF ARJUN MAHTO RESIDENT OF VILLAGE- MERHKURI, PS- MESKAUR (SIRDALLA), DIST- NAWADA
2. BIRENDRA KUMAR@ BILLO SON OF ARJUN MAHTO RESIDENT OF VILLAGE- MERHKURI, PS- MESKAUR (SIRDALLA), DIST- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2023 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 offences punishable under Section 30(a) 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 9 liters of liquor from a carton found near a poultry farm.

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 he came to



be implicated at the instance of local people but then the name of the person who disclosed the name of the petitioners is not disclosed in the FIR which casts an aspersion on the case of the prosecution and even the alleged recovery is from a place which is accessible to public at large and does not belong to the petitioners.

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 trial court where the case is pending/successor court in connection with Meskaur (Sirdalla) P.S. Case No. 262 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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