

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55207 of 2023

Arising Out of PS. Case No.-217 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

1. Rakesh Bind Son Of Vikrama Bind @ Vikrama Prasad Resident Of Village Chilbili , P.S. Kudra , District Kaimur At Bhabua
2. Ashish Bind Son Of Banarasi Bind Resident Of Village Chilbili , P.S. Kudra , District Kaimur At Bhabua

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Kudra P.S. Case No. 217 of 2023 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 25 litres of liquor from a sack near Sati Temple.

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 based on the confessional statement of Krishna Kumar in police custody which does not have any evidentiary value, it is further submitted that 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 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 Kudra P.S. Case No. 217 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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