

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58193 of 2023

Arising Out of PS. Case No.-383 Year-2021 Thana- AGAMKUAN District- Patna

1. Rakesh Kumar Son Of Indradeo Prasad Resident Of Village- Sector 3, Block No. 7, House No. 17, Bahadurpur, P.S - Agamkuan, Distt. - Patna
2. Mukesh Kumar S/O Indradeo Prasad Resident Of Village- Sector 3, Block No. 7, House No. 17, Bahadurpur, P.S - Agamkuan, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv

For the Opposite Party/s : Mr.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioners and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioners apprehend their arrest in
connection with Agamkuan P.S.Case No. 383 of 2021
instituted under Section 30(a) of Bihar Prohibition & Excise
Amendment Act.

3. As per the prosecution case, total 5.760 liters
of foreign liquor was recovered from the road of Sector-3,
Block No.-3 MIG and the petitioners have fled away from
the place of occurrence.

4. Learned counsel for the petitioners submits that



petitioners have falsely been implicated in this case due to one criminal antecedent. Petitioners are residing in Sector-3, Block- 7, House no -17 Bahadurpur and only on suspicion, he has been implicated in this case. There is no recovery from the conscious possession of the petitioners and they have no concern with the said liquor.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of their arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Patna city in connection with Agamkuan P.S.Case No. 383 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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