

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73090 of 2023

Arising Out of PS. Case No.-144 Year-2023 Thana- SIWAIPATTI District- Muzaffarpur

1. Sikindra Kumar @ Sikandar Kumar Son Of Sambhu Prasad Resident Of Village Sodhana Madhopur Ps Siwaipatti, Distt - Muzaffarpur
2. Braj Bhushan Kumar Son Of Sambhu Prasad Resident Of Village Sodhana Madhopur Ps Siwaipatti, Distt - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandrasekhar Sharma, Advocate
For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The Petitioners are apprehending their arrest in connection with Siwaipatti P.S. Case No. 144 of 2023 registered for the offences punishable under Sections 30(a), of the Bihar Prohibition & Excise Act.

4. As per the prosecution case, total 45 litres of foreign liquor was recovered from the hut situated near the Mai-esthan.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. The petitioners were neither arrested on the spot nor any incriminating article was recovered from their conscious possession. The hut does not belong to the petitioners and they have no concern with the alleged recovery. The petitioners have no criminal antecedent as stated in para-3 of the bail petition.

6. Learned A.P.P for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the above named petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, be released on anticipatory bail on furnishing bail bonds of Rs 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of the Learned Special Judge, Excise Muzaffarpur in Siwwaipatti P.S. Case No. 144 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Chandra Prakash Singh, J)

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