

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9512 of 2024

Arising Out of PS. Case No.-503 Year-2023 Thana- CHHATAUNI District- East Champaran

1. VIJAY KUMAR @ VIJAY SAH Son039 of Gabbar Sah Resident of Village-Mathia Dih, P.S.-Chhatauni, District-East Champaran.
2. SANJAY SAH Son's of Gabbar Sah Resident of Village-Mathia Dih, P.S.-Chhatauni, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Chhatauni P.S. Case No.503/2023 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioners submits that petitioners have antecedent of three cases and allegation is of recovery of 63.300 litres of liquor from the house of Ranjan Yadav. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place,



which does not belong to the petitioners and they came to be implicated by the villagers but then the name of the person, who disclosed the name of the petitioners is not disclosed in the F.I.R., which casts an aspersion on the case of the prosecution.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. 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.15000/- (Rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No.1, East Champaran at Motihari in connection with Chhatauni P.S. Case No.503/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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