

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10353 of 2024

Arising Out of PS. Case No.-295 Year-2023 Thana- ISUAPUR District- Saran

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1. Tuntun Kumar SON OF GORAKH RAUT RESIDENT OF VILLAGE -
AND PO - AMARDAH, PS - ISUAPUR, DIST - SARAN AT CHHAPRA
 2. TUNA KUMAR SON OF GORAKH RAUT RESIDENT OF VILLAGE -
AND PO - AMARDAH, PS - ISUAPUR, DIST - SARAN AT CHHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rananjay Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 29-02-2024 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that
petitioners have antecedent of one case.

4. Allegation is of recovery of 100 litres of spirit from
a place in front of the house of the petitioners.

5. Learned counsel for the petitioners submits that
petitioners were not arrested from the spot, as such, nothing was
recovered from their conscious possession and they came to be
implicated based on the fact that the alleged recovery is from a



place which is adjacent to their house. It is further submitted that the said place does not belong to the petitioners and is accessible to public at large.

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

7. 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.5,000/- (Rupees Five 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 Isuapur P.S. Case No. 295 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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