

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12175 of 2024

Arising Out of PS. Case No.-570 Year-2023 Thana- SAKRA District- Muzaffarpur

1. Sujit Kumar Son of Suresh Sahni Resident of Sakra Mansurpur, P.S.- Sakra, District - Muzaffarpur.
2. Tuntun Kumar @ Tuntun Sahni Son of Late Shital Sahni Resident of Sakra Mansurpur, P.S.- Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bipin Chandra

For the Opposite Party/s : Mr. Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 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 offences punishable under Sections 30(a), 32(i)(ii), 36 and 41(i) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of two cases and allegation is of recovery of 160.560 liters of liquor from a Swift Dezire Car and Apache motorcycle.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession and are not the owner of the seized vehicles and they came to be implicated based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sakra P.S. Case No. 570 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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