

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11509 of 2024

Arising Out of PS. Case No.-426 Year-2023 Thana- MANJHAGARH District- Gopalganj

1. Raju Kumar, son of Devnath Mahto
2. Sonu Pandey, son of Kanhaiya Pandey
Both are resident of village-Safapur, Police Station-Manjhagarh, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Singh, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-03-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. The learned counsel for the petitioners submit that the petitioner no.1 has antecedent of two cases and petitioner no.2 is person with clean antecedent and allegation is of recovery of 449.28 liters of liquor from a Scorpio vehicle and a semi constructed house as detailed in the FIR.

4. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from the conscious possession and they are neither the owner nor the



driver of the vehicle nor the house belongs to them and they came to be implicated based on confessional statement of co-accused in police custody which does not have any evidentiary value.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Manjhagarh P.S. Case No.426 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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