

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12035 of 2024

Arising Out of PS. Case No.-160 Year-2023 Thana- SAHIYARA District- Sitamarhi

1. Dashrath Mukhiya Son of Late Kailash Mukhiya Resident of Village- Hanuman Nagar, P.S.- Sahiyara, District- Sitamarhi
2. Pintu Kumar Son of Rameshwar Sahani R/o Village- Hanuman Nagar, P.S.- Sahiyara, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Sahiyara P.S. Case No.160 of 2023, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that the petitioner no.1 has three criminal antecedents and the petitioner no.2 has one criminal antecedent and allegation is of recovery of 46.5 liters of Nepali Saufi liquor from a bag kept in an open place as detailed in the F.I.R.

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 the alleged recovery is from a place which is accessible to public at large even alleged recovery is from a place which does not belong to the petitioners and they came to be implicated based on secret information which is the easiest way to implicate someone.

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) 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 Sahiyara P.S. Case No. 160 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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