

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13176 of 2024

Arising Out of PS. Case No.-118 Year-2022 Thana- SARMERA District- Nalanda

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1. Mangal Ram Son of Darogi Ram @ Darogi Dhadhi @ Gamun Ram @ Jamun Ram Resident of Village- Pendi, P.S.- Sarmera, District-Nalanda
 2. Dularchand Ram Son of Sarobar Ram Resident of Village- Pendi, P.S.- Sarmera, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-03-2024 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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.
4. Allegation is of recovery of 50 litres of liquor from a gallon.
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 at the instance of the local people but then the name



of the person who disclosed the name of the petitioners is not disclosed in the FIR which casts as aspersion on the case of the prosecution. It is further submitted that even the alleged recovery is from a place which is accessible to public at large and does not belong to the petitioners.

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.500/- (Rupees Five Hundred) 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 Sarmera P.S. Case No. 118 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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