

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14015 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- BASANTPUR District- Siwan

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1. Mukesh Kumar @ Mukesh Rai S/o Surendra Rai R/o vill - Murwar, P.O. - Bagahi, P.S. - Basantpur, Distt. - Siwan
 2. Prabhat Kumar @ Jhunjhun Rai S/o Tukar Prasad R/o vill - Murwar, P.O. - Bagahi, P.S. - Basantpur, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-03-2024 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) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 423.360 liters of liquor from a pond of Sukhal Ji.
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 even the alleged recovery is from a place which does not belong to the petitioner



and he came to be implicated at the instance of *Chowkidar* with whom he is on an inimical term, when petitioners admittedly are person with clean antecedent.

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. 1,000/- (Rupees One 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 Basantpur P.S. Case No. 17 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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