

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15064 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- SAHIYARA District- Sitamarhi

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1. Dipak Kumar Son of Indrajit Singh R/o Village- Jalsi, P.S.- Sahiyara, Dist.- Sitamarhi
 2. Manoj Paswan @ Manoj Kumar Paswan Son of Lobhi Paswan @ Lobhichan Paswan R/o Village- Harnahiya, P.S.- Sahiyara, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 12-03-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.
2. The petitioners seek bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The learned counsel for the petitioners submit that the petitioner no.1 has antecedent of one case and petitioner no.2 has antecedent of two cases and allegation is of recovery of 75 liters of liquor from a bush.
4. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from the conscious possession and even alleged recovery is from a place which is accessible to public at large and they came to be



implicated based on secret information which is the easiest way to implicate someone

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

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 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 Exclusive Special Excise Court No.1, Sitamarhi in connection with Sahiyara P.S. Case No.138 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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