

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16963 of 2024

Arising Out of PS. Case No.-1171 Year-2023 Thana- SONEPUR District- Saran

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1. Kamal Rai SON OF LAXMAN RAI RESIDENT OF VILLAGE- PAHLEJA SAHPUR DIYRA, PS- SONEPURA, DISTT- SARAN
 2. MUKESH RAI SON OF LAXMAN RAI RESIDENT OF VILLAGE- PAHLEJA SAHPUR DIYRA, PS- SONEPURA, DISTT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar Singh
For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-03-2024 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 Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 160 litres of liquor from Diara on the bank of river Ganga.

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 and even alleged



recovery is from a place which is accessible to public at large and does not belong to the petitioners and they came to be implicated at the instance of *Chowkidar* with whom they are on an inimical term. It is also submitted that 90 per cent of the cases, the accused are being implicated either by the Chowkidar or local people.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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. 5,00/- (Rupees Five hundred) 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 Sonapur P.S. Case No. 1171 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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