

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19638 of 2024

Arising Out of PS. Case No.-387 Year-2023 Thana- DESARI District- Vaishali

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1. BHOLA MALI @ BHOLA BHAGAT S/o Shankar Bhagat R/o Village-Muraubatur @ Murauwatur, P.S.-Desari, District-Vaishali.
 2. RANJEET SINGH @ RANJEET KUMAR SINGH S/o Shivchandra Singh R/o Village-Muraubatur @ Murauwatur, P.S.-Desari, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-03-2024 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 Bihar Prohibition and Excise Amendment Act, 2018.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 66 litres of liquor from a Mango and Banana orchard. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners and is accessible to public at large. It is further submitted that it has been specifically asserted in anticipatory bail application



that the mango and banana orchard does not belong to the petitioner rather belongs to one Ramnath Sah. It is hence submitted that it amply demonstrates that how police implicates innocent persons with false allegation, even without verifying the correct details. It is further submitted that the petitioner came to implicated based on secret information which is the easiest way to implicate someone.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. 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 trial court where the case is pending/successor court in connection with Desari P.S. Case No.387/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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