

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20446 of 2024

Arising Out of PS. Case No.-969 Year-2021 Thana- MANER District- Patna

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1. KAMLESH KUMAR SON OF CHANDRAKANT SINGH R/O-RATAN TOLA, MAHINAWAN, P.S.-MANER, DISTT.-PATNA
 2. SONU KUMAR SON OF KUBERAN RAI @ KUBERAN SINGH R/O-RATAN TOLA, MAHINAWAN, P.S.-MANER, DISTT.-PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadwal Harsh

For the Opposite Party/s : Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-03-2024 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), 30(c), 32(iii), 34, 36 and 41 of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of two cases and allegation is of recovery of 60 liters of liquor along with 1 kg of Salmoc tablets and 400 liters of raw material used in manufacturing liquor from a Baswari near Hanuman temple.

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 them and is



accessible to public at large and they came to be implicated by the local people but then the name of the people who disclosed the name of the petitioners is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

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. 10,000/- (Rupees Ten 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 Maner P.S. Case No. 969 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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