

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21577 of 2024

Arising Out of PS. Case No.-952 Year-2023 Thana- PIRBAHOR District- Patna

-
1. Rajan Kumar Son Of Pradeep Ram Resident Of Gulabi Ghat, Behind Sadab Marriage Hall, P.S. - Sultanganj, District - Patna
 2. Rahul Kumar @ Rahul Singh Son Of Prashant Prasad @ Baban Singh Resident Of Darbhanga House, Mathiyapar, P.S. - Pirbahore, District - Patna
 3. Bhatwa @ Raja Kumar Son Of Indra Ram @ Indradev Kumar Resident Of Gulabi Ghat, Behind Sadab Marriage Hall, P.S. - Sultanganj, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Sharma, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 29-03-2024 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 Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners No.2 & 3 are person with clean antecedent, petitioner no.1 is a person with one criminal antecedent and allegation is of recovery of 18.750 liters of foreign liquor from the old house of Ram Kishore Das Math.

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 the 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 local people. It is also submitted that in majority of the cases, the police is implicating the accused persons through *Chowkidar* or local people but then submits that if *Chowkidar* was aware of the involvement of the petitioners in the occurrence then why he did not inform the police earlier to institute the FIR which further casts 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. 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 Pirbahore P.S. Case No. 952 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

mdrashid/-

U		T	
---	--	---	--

