

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21315 of 2024

Arising Out of PS. Case No.-140 Year-2020 Thana- SARAIYA District- Muzaffarpur

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1. Anish Kumar S/o Ranjeet Sharma Resident of Village- Baghnagari, P.S.- Saraiya, District- Muzaffarpur
 2. Keshav Kumar @ Keshav Kishor S/o Pankaj Kumar Resident of Village- Baghnagari, P.S.- Saraiya, District- Muzaffarpur

... .. 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.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-03-2024 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 414, 272,
273 and 34 of the IPC and Section 30(a) of the Bihar Excise
Act.

3. Learned counsel for the petitioners submits that the
petitioners have antecedent of one case and allegation is of
recovery of 135.35 litres of liquor from a Bolero and a Tata
Indica car.

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 are not owner of
any of the seized vehicles and they came to be implicated at the



instance of *Chowkidar* with whom they are on an inimical term. 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 petitioner 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. 5,000/- (Rupees Five 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 Saraiya P.S. Case No. 140 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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