

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33301 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- LAURIA District- West Champaran

1. Golu Kumar @ Amit Kumar @ Golu Kumar Singh Son of Malik Singh R/O Village - Marahiya, P.S.- Lauriya, District - West Champaran.
2. Dipu Kumar @ Deepu Kumar Son of Dhruksagar Singh @ Dhrupe Sagar Singh R/O Village - Marahiya, P.S.- Lauriya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2024 Heard Mr. Bimlesh Kumar Pandey, learned Counsel
for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Lauriya P.S. Case No. 77 of 2024 for the offence registered under sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act lodged on 14.03.2024 by the informant, Dharmendra Singh.

3. As per the prosecution story, upon secret information, the cattle shed of Vijay Singh was raided and 57.78 litres of 8 PM Special Blend Scotch/Whisky recovered/seized. The *chawkidar* named the two persons who were found to be leaving the cattle shed, the petitioners herein.



4. Learned Counsel for the petitioners submit that admittedly, the raid took place in the cattle shed of the Vijay Singh, only due to enmity, the *chowkidar* named them, they do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the aforesaid submissions put forward by the parties as also that they do not have criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise II, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 77 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show their *bona fide*;

(ii) the petitioners shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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