

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35201 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- AKBARPUR District- Nawada

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1. DILIP RAJBANSHI S/O KALI RAJBANSHI Resident of Village- Dulam Bigha, P.S.- Akbarpur, District- Nawada.
 2. Raj Kumar Rajbanshi S/O Chando Rajbanshi Resident of Village- Dulam Bigha, P.S.- Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-06-2024 Heard Mr. Arjun Prasad, learned counsel for the petitioners and Mr. Md. Fahimuddin, learned A.P.P. for the State.

2. The petitioners in this case are seeking anticipatory bail in connection with Akbarpur P.S. Case No. 39 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016. They have no criminal antecedent.

3. As per the prosecution story, allegedly 72 litres of illicit liquor have been recovered from a place which is a street near the house of the petitioners.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that there is no recovery from the conscious possession of the petitioners and they have no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the submissions that the 72 litres of illicit liquors have been seized from a place which is a street near the house of the petitioners and the seizure list witnesses are the two constables only and further that the petitioners have no criminal antecedent, this Court directs that in the case of their arrest or surrender within a period of four weeks from today, the petitioners above named shall be released on bail in connection with Akbarpur P.S. Case No. 39 of 2024 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-1, Nawada, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the Court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall no be delayed for the purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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