

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37426 of 2024**

Arising Out of PS. Case No.-28 Year-2024 Thana- Excise P.S. District- Siwan

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1. RAJU BIND @ RAJU KUMAR BIN S/O RAM DAYAL BIN R/O VILLAGE- RAKAULI, P.S- RAGHUNATHPUR, DISTT.- SIWAN.
  2. SHAILENDRA BIND @ ANURAG KUMAR BIND S/O RAM DAYAL BIN R/O VILLAGE- RAKAULI, P.S- RAGHUNATHPUR, DISTT.- SIWAN.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioners : Ms. Kumari Anupam, Advocate

For the Opposite Party : Mr. Aditya Narayan Singh.1, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      26-06-2024                      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 offence punishable under 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 324 liters of liquor from a motorcycle.
4. Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and they are not the owner of the seized vehicle and they came to be implicated at the instance of local people but the name of the person who



disclosed the name of the petitioners is not disclosed in the FIR, cast an aspersion of 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 Raghunathpur P.S. Case No. 28 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear the learned Trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioners have antecedent of more than one cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Shivam/-

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