

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37284 of 2024

Arising Out of PS. Case No.-169 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

1. Sujeet Singh @Sujeet Kumar Singh Son of Wakil Singh R/O Village- Salehpur, P.S.- Bishambharpur, District- Gopalganj.
2. Sunil Singh @Sunil Son of Late Parsan Singh R/O Village- Salehpur, P.S.- Bishambharpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwanshu Kumar

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-06-2024 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 offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that the petitioners have antecedent of two cases and allegation is of recovery of 99 litres from a motorcycle and a bag as detailed in the FIR.
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 the owner of the seized vehicle and they came to be implicated based on



confessional statement of co-accused in police custody which does not have any evidentiary value.

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. 10,000/- (Rupees Ten 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 Bishambharpur P.S. Case No. 169 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that the petitioners have antecedents of more than two cases, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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