

Arising Out of PS. Case No.-905 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champanan

... .. Petitioner/s

The State Of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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 even the alleged recovery is from a place which does not belong to the petitioners and petitioners have no concern with the bag in question from which the alleged recovery is alleged to have been made. It is also submitted that they came to be implicated by the local person but



then the name of the person who disclosed the name of the petitioners is not disclosed in the FIR which casts an 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 Motihari Muffasil P.S. Case No. 905 of 2023 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 petitioners shall verify the criminal antecedent of the petitioners and in the event if it is found that any of the petitioners have antecedent of even one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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