

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42896 of 2024

Arising Out of PS. Case No.-147 Year-2023 Thana- SALAIYA District- Aurangabad

1. SANTOSH BHUIYAN S/O PANJABI BHUIYAN R/O VILLAGE- SAHID BIGHA, P.S- MADANPUR, DISTT.- AURANGABAD.
2. MANISH KUMAR @ CHHOTU RAVIDAS S/O KAMLESH RAVIDAS R/O VILLAGE- SAHID BIGHA, P.S- MADANPUR, DISTT.- AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nikita Mittal, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with
Saliya P.S. Case No.147 of 2023 instituted under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. As per prosecution case, on secret information, the
police reached near the garden behind community building in
Shaheed Bigha and found 35 litres illicit liquor from there. It is
alleged that on seeing the police party, two persons managed to
escape taking advantage of bushes.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this



case. Petitioners were not present at the spot and the recovery was made from open place, which does not belong to the petitioners. Except secret information, there is no material against the petitioners. Petitioners have no criminal antecedent and they undertake to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court no.2, Aurangabad in connection with Saliya P.S. Case No.147 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

Harish/-

U		T	
---	--	---	--

