

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45961 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- SRINAGAR District- West Champaran

1. Dilip Kumar @ Dilip Sah, Son Of Ragho Sah @ Raghav Sah Village- Bhawanipur, P.S.- Srinagar, Distt.- West Champaran, Bihar
2. Ranjan Sah @ Ranjan Kumar Sah, Son Of Bhadai Sah Village- Fulwariya Tola Bhawanipur, P.S.- Srinagar, Distt.- West Champaran, Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-07-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a) and 45 of the Excise Act and Section 353 of the I.P.C.
3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 18 litres of liquor from two motorcycles.
4. The learned counsel for the petitioners submits



that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and are not the owner of any of the seized vehicles. It is next submitted that informant falsely alleges in the F.I.R. that petitioners were caught, but they fled.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Bettiah, West Champaran in connection with Srinagar P. S. Case No.76 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that 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 petitioners have antecedent of even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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