

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46617 of 2024

Arising Out of PS. Case No.-140 Year-2024 Thana- MADANPUR District- Aurangabad

1. RAMASHISH BHUIYA SON OF LATE TAPSI BHUIYAN R/O
-NANIYADIH PS -MADANPUR DISTT- AURANGABAD
2. NARESH BHUIYAN SON OF LATE GANESHI BHUIYAN R/O
-NONIYADIH PS -MADANPUR DISTT- AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Ashok Singh, Advocate
For the State : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-08-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 30(a) and 30(c) of the Bihar Excise and Prohibition Amendment Act.

3. As per prosecution case, 74 litres country made liquor has been recovered from an open place. Name of these petitioners has transpired in this case on basis of confessional statement of co-accused Satendra Bhuiyan, who was apprehended at the spot.

4. It is submitted by learned counsel appearing on behalf of the petitioners that nothing has been recovered from conscious possession of these petitioners. Petitioners have been



made an accused in this case only on the basis of confessional statement of co-accused Satendra Bhuiyan. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, the fact that nothing has been recovered from conscious possession of these petitioners and clean antecedents, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond 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.I, Aurangabad, in connection with Madanpur P.S. Case No. 140 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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