

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46857 of 2024

Arising Out of PS. Case No.-235 Year-2024 Thana- MADANPUR District- Aurangabad

1. Shyam Singh @ Shyam Kumar Son of Suryadeo Singh R/O Vill.- Dihuli, P.S.- Madanpur, Dist.- Aurangabad, Bihar
2. Raju Singh @ Raju Kumar Son of Mahendra Singh R/O Vill.- Dihuli, P.S.- Madanpur, Dist.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-07-2024 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 Sections 30(a), 34 and 36 of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 560 litres of spirit from a Scorpio vehicle.
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 owner of the seized vehicle and they came to be implicated at the instance



of *Chowkidar* with whom they are on an inimical term.

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. 500/- (Rupees Five Hundred) 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 Madanpur P.S. Case No. 235 of 2024 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 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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