

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66053 of 2024

Arising Out of PS. Case No.-42 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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1. Anil Chaudhary S/o Rajendra Chaudhary R/o Mohalla- Lakhnusarai, PS- Sasaram (Town), Dist- Rohtas
 2. Bablu Kumar @ Himanshu Singh S/o Late Bahadur Singh @ Late Ram Bahadur Singh R/o Mohalla- Lakhnusarai, PS- Sasaram (Town), Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend arrest in Excise Case No. 42 of 2021, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 400 liters liquor was recovered from bushes.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners



further submits that the petitioners were not present at the place of occurrence. Name of the petitioners have transpired on the basis of secret information received by the police. The alleged recovery has been made from an open place which is easily accessible to public at large. The petitioner no. 2 has got two criminal antecedents in which he is on bail and petitioner no. 1 has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Case No. 42 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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