

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83248 of 2024

Arising Out of PS. Case No.-536 Year-2024 Thana- HISUWA District- Nawada

1. Angad Kumar @ Kalicharan Kumar Son Of Sugariv Chauhan @ Sugreeve Chaudhary Resident Of Brahmnpchas, P.S.- Hisua, District- Nawada.
2. Raja Kumar Son Of Ashok Singh @ Ashok Kumar Resident Of Brahmnpichas, P.S.- Hisua, District- Nawada.
3. Suraj Kumar Son Of Manoj Saw @ Tuntun Saw @ Suraj Saw Resident Of Teli Tola Hisua, P.S.- Hisua, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj
For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioners and Mr. Gauri Shankar Gupta, learned APP for the State.

2. Learned counsel for the petitioners are permitted to add some necessary correction in para-9 of their bail petition.

3. The instant application for anticipatory bail have been filed by the petitioners apprehending their arrest in connection with Hisua P.S. Case no. 536 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition & Excise Act.

4. Allegation against the petitioners along with other co-accused persons are that near house of Suraj Kumar three



gunny bags were lying and four persons were standing there. After seeing the police vehicle, they started fleeing away. One persons was apprehended and he was identified as Bobby Kumar alias Golu. It is alleged that altogether 74.250 liters of foreign liquor was recovered from that gunny bag. The name of this petitioners has been disclosed by the apprehended accused namely, Bobby Kumar.

5. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is also submitted that nothing has been recovered from the possession of the petitioners and that they have got no concern with the seized liquor. Petitioner No. 1 is having criminal antecedent of two cases, petitioner no. 2 is having three cases and petitioners no. 3 is having four cases. Each one of the petitioner is having criminal antecedent of one cases of similar nature.

6. In contra, learned APP appearing for the State and learned counsel for the informant have opposed the prayer of bail of the petitioner.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this



Court is inclined to enlarge the petitioners on bail with a condition that petitioners shall not indulge in similar nature of offences in future. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Hisua P.S. Case No. 536 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Nawada subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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