

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83157 of 2024

Arising Out of PS. Case No.-285 Year-2024 Thana- BARHARA District- Bhojpur

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1. Abhishek Kumar Singh @ Vicky singh S/O Abhimanu Kumar Singh @ Abhimanu Singh R/O Villag- Babura, P.S- Barhara, Distt.- Bhojpur.
 2. Suresh Prasad Singh S/O Baliram Singh R/O Villag- Babura, P.S- Barhara, Distt.- Bhojpur.
 3. Rahul Kumar Singh S/O Vijay Kumar Singh R/O Villag- Babura, P.S- Barhara, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioners and Ms. Sharda Kumari, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Barahara P.S. Case No. 285 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from two bikes altogether 397.42 liters of foreign liquor was recovered. No one was apprehended from the place of recovery. Four persons managed to escape.

4. Learned counsel appearing on behalf of the



petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Nothing has been recovered from their possession. They have got no concern either with the bike or with the alleged liquor. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedents.

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

6. 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. 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 Barahara P.S. Case No. 285 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court 1st Bhojpur, Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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