

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33449 of 2016

Arising Out of PS.Case No. -86 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

- =====
1. MANTU YADAV
 2. Sheonath Yadav both 1 & 2 sons of Late Ramdeo Yadav All residents of Village- Maniara, P.S.- Mufassil (Gaya), District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sourendra Pandey

For the Opposite Party/s : Mr. Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioners as well as learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 272 and 273 of the I.P.C. read with section 47 (A) of the Excise Act.

Allegedly, the petitioners were manufacturing illicit Mahua liquor and after sensing arrival of the police personnel they succeeded in fleeing away but near the machine of the petitioners illicit mahua liquor kept in three plastic drums and other materials were seized as per the seizure list.

Submission is of false implication and that the place

of the occurrence is not of the petitioner, they have been made victim of the circumstances and the seizure list witnesses have not supported the prosecution version and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. seriously opposes prayer for bail.

In the facts and circumstances as stated above, considering the allegation I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected in connection with Mofassil P.S.Case No. 86 of 2016 pending in the court of C.J.M. Gaya.

(Jitendra Mohan Sharma, J)

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