

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 37884 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- Jadopur District- Gopalganj

1. Amarjeet Yadav,
2. Chandsi Yadav
Both sons Somari Yadav, R/o Vill.- Bhathwan, P.S.- Jadopur,
District- Gopalganj, presently at -Mehandia Nahar Par, P.S.-
Jadopur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5
For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 03-07-2018 Heard Sri Sanjay Kumar No.5, learned counsel for
the petitioners and Sri Ajay Kumar Jha, learned Addl. Public
Prosecutor.

Two petitioners, apprehending their arrest in Jadopur
@ Yadopur P.S. Case No. 39 of 2018 registered for offence
under Sections 272 & 273 of the Indian Penal Code and Section
30(a) of Bihar Prohibition and Excise Act, 2016, have prayed
for grant of anticipatory bail.

Learned counsel for the petitioners submits that
nothing was recovered from conscious possession of the
petitioners, rather in the case, recovery was shown from
backside of *palani* (hutment) of the petitioners. It has also been



argued that after lodging of the present case, petitioner no. 1 has again been made accused in another case relating to Excise Act and as such, a prayer is being made granting anticipatory bail.

However, learned Addl. Public Prosecutor opposing the prayer submits that it is not only a case of recovery, but while police arrived, the petitioners were identified in the torch-light while fleeing away.

In view of facts and circumstances, I do not find any ground to extend the privilege of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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