

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47849 of 2019

Arising Out of PS. Case No.-261 Year-2018 Thana- BIRPUR District- Supaul

1. Pawan Yadav @ Pawan Kumar Yadav, aged about 30 years, male, Son of Madhuri Yadav.
2. Kulanand Kushyait, aged about 44 years, male, Son of Nathar Kushyait. Both resident of Village - Dahgama Dumari, P.S.- Karjain, District – Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 20-11-2019 The petitioners seek bail in anticipation of their arrest in connection with S.T. Excise Case No. 745 of 2018 arising out of Birpur (Bhimnagar O.P.) P.S. Case No. 261 of 2018, dated 12.10.2018, instituted for the offences under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

There is no recovery from the possession of the petitioners, but considering the fact that in the past, they



were made accused in a case of similar nature, I am not inclined to grant them anticipatory bail.

The prayer for grant of anticipatory bail of the petitioners is, accordingly, rejected.

However, should the petitioners surrender before the Court below within a period of four weeks and seek regular bail, the Court below, after taking into account that nothing has been recovered from the possession of the petitioners, shall pass a reasoned order on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The petition is dismissed with the aforesaid observation.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

