

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51329 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- RAGHUNATHPUR District- Siwan

1. Ajay Yadav, Son of Hareram Yadav R/o Village- Bangra, P.S. Raghunathpur, Distict- Siwan.
2. Abhimanyu Yadav, Son of Faujdar Yadav R/o Village- Rajpur, P.S. Raghunathpur, Distict- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Raghunatpur P.S. Case No.102 of 2019 for the offence punishable under Sections 30(a), 38 and 41 of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners as per the First Information Report is that the police party intercepted one Aisar Truck bearing No.-UP25DT-2465 and some of the persons were going ahead of truck by riding on motorcycle. It has further been alleged that upon seeing the police party, persons riding on motorcycle ahead of the truck fled away. However, the truck



driver was arrested and after search, a total quantity of 3888 litres of illicit liquor was recovered from the truck. It has further been alleged that the arrested persons disclosed the name of the petitioners and others.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as the petitioners have got no criminal antecedent and their names have been disclosed by the truck driver who was arrested by the police. Learned counsel further submits that petitioners have got no concern with the truck from where the illicit liquor has been recovered.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that petitioners have got no criminal antecedent and further the illicit liquor has not been recovered from the possession of the petitioners or from the vehicle belonging to the petitioners, as such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court



below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd-cum-Special Judge (Excise), Siwan, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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