

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58676 of 2019

Arising Out of PS. Case No.-308 Year-2019 Thana- ATRI District- Gaya

1. MITHLESH YADAV Son of Jago Yadav
2. Surendra Chaudhary @ Bhutali Chaudhary Son of Jitendra Chaudhary
Both Residents of Village - Chandaila, P.S.- Atri, Dist.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2019 The petitioners apprehend their arrest in connection with Atri P.S.Case No. 308 of 2019 registered under Sections 272 and 273 of the Indian Penal Code and 30(a)(d) and 37(c) of the Bihar Prohibition and Excise Act.

Allegation against the petitioners, as per FIR, is that the police on secret information proceeded towards Mangura river in village Chandaila and arrested one person namely Jitendra Chaudhary and also recovered 50 litres illicit Mahua country made liquor and some equipments for preparation of liquor and name of the petitioner has been disclosed by the arrested accused, Jitendra Chaudhary.

Learned counsel for the petitioners submits that petitioners have got no criminal antecedents and they have



falsely been implicated in this case due to village politics. Learned counsel further submits that no illicit liquor has been recovered from the possession or premises belonging to the petitioners.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioners have got no criminal antecedents and no illicit liquor has been recovered from the possession or premises belonging to the petitioners, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Gaya in connection with Atri P.S. Case No. 308 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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