

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68089 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- AANDAR District- Siwan

-
1. Nagendra Yadav, Son of Late Janki Yadav, Resident of Village - Sultanpur Dahabadi, P.S.- Andar, Distt.- Siwan.
 2. Ashok Kumar Prasad, Son of Shankar Prasad, Resident of Village - Andar, P.S.- Andar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory bail in connection with Andar P.S. Case No.148 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that there is no recovery from the conscious possession of the petitioners.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.



Considering the facts and circumstances of the case wherein the illicit liquor has been allegedly recovered from a car and it is the stand of the petitioners that the said car does not belong to them and save and except that apprehended person has also implicated these petitioners there is no other material to connect them with the present case as also that they have no criminal antecedent, let the petitioners in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan in connection with Andar P.S. Case No.148 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

arvind/-

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

