

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7483 of 2020

Arising Out of PS. Case No.-112 Year-2019 Thana- KAJRA District- Lakhisarai

1. RAJESH YADAV @ RAJESHWAR YADAV Son of Mishri Yadav Resident of Village - Basantpur Kila, P.S.- Chanan, Distt - Lakhisarai.
2. Promod Yadav Son of Ayodhya Yadav Resident of Village - Basantpur Kila, P.S.- Chanan, Distt - Lakhisarai.
3. Banarasi Yadav Son of Sipahi Yadav Resident of Village - Janakidih, P.S.- Chanan, Distt - Lakhisarai.
4. Tarik Yadav @ Lorik Yadav Son of Durga Yadav Resident of Village - Janakidih, P.S.- Chanan, Distt - Lakhisarai.
5. Kamo Yadav Son of Bilukh Yadav Resident of Village - Janakidih, P.S.- Chanan, Distt - Lakhisarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case is seeking anticipatory bail in connection with Kajara P.S. Case No. 112 of 2019 registered for the offence punishable under Sections 272, 273/290 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case, the liquor is said to have been recovered from Laxminia Bahiyar which does not belong to the petitioners and altogether 13 persons have



been made accused. It is further submitted that there is no independent material to connect the petitioners with the alleged sale of illicit liquor and the petitioners have no criminal antecedent of similar nature.

Learned APP has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that the illicit liquor has been allegedly recovered from Laxminiya Bahiyar and not from any place belonging to these petitioners and further that altogether 13 persons have been named on secret information that they are involved in the business of sale of illicit liquor but no other material is there against these petitioners as also that there is no criminal antecedent of similar nature and though the petitioners no. 1, 4 and 5 have got one more case and the petitioner no. 3 has got two cases, those have arisen out of the local village rivalry and fight between the gotiyas, let the petitioners above named in case of their arrest or surrender within a period of four weeks from today in connection with Kajara P.S. Case No. 112 of 2019 be released on bail on furnishing of bail bonds of Rs.15,000/- (fifteen thousand) each with two sureties of the like amount to



the satisfaction of learned 2nd Additional Session Judge-cum-Special Judge (Excise) Lakhisarai, subject to the conditions 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 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)

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