

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.10177 of 2020**

Arising Out of PS. Case No.-38 Year-2019 Thana- PARASBIGHA District- Jehanabad

1. MANOJ YADAV Son of Late Mahendra Yadav Resident of Village - Gonwan Tola Ramghat, P.S.- Parasbigha, District - Jehanabad.
2. Lalan Yadav Son of Jaynandan Yadav Resident of Village - Gonwan Tola Ramghat, P.S.- Parasbigha, District - Jehanabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Paras Nath,Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 11-06-2020 This application has been placed for consideration by the order of the Hon'ble the Chief Justice through virtual court proceeding.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners in the present case are seeking anticipatory bail in connection with Excise Case No. 254 of 2019 arising out of Parasbigha P.S. Case 38 of 2019 registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case on the basis of confidential information. It is submitted that the alleged illicit liquor was recovered near southern side of paine in the village to which the petitioners have no concern.

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

Considering the facts and circumstances of the case wherein, from the First Information Report it is clear that on secret information the police had gone to verify the information and when reached near southern side of paine in the village, the informant found two persons going with a gallon who fled away on seeing the police party and further submission of the learned counsel for the petitioner that save and except the said secret information on the basis of which the name of the petitioners has been brought in this case there is no any material at all to connect the petitioners with the present case as also that the petitioners have no criminal antecedent, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today in connection with Excise Case No. 254 of 2019 arising out of Parasbigha P.S. Case 38 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five thousand) each with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge II, Jehanabad,
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 or to any police
officer;

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

This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

