

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18818 of 2021**

Arising Out of PS. Case No.-555 Year-2019 Thana- BRAHMPUR District- Buxar

1. Rajnath Yadav S/o- Late Sabha Yadav R/o- Shivpur, P.S. - Shahpur, Dist. - Bhojpur.
2. Bhola Yadav S/o- Ras Bihari Yadav R/o- Shivpur, P.S. - Shahpur, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Pandey

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 13-12-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act.



It is alleged that on secret information, the police raided the western bank of river Nara. On search, three local breweries were found constructed on the bank of the aforesaid river from where the police seized 35 litres of mahua liquor. The petitioners are alleged to have fled away from the place of seizure.

It is submitted by learned counsel for the petitioners that nothing has been recovered from the conscious possession of the petitioners. The petitioners have also not been arrested from the spot. The recovery has been made from the bank of river Nara. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the



satisfaction of learned Additional District Judge-II-cum-Special Judge, Excise, Buxar in connection with Brahmpur P.S. Case No. 555 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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