

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20651 of 2021

Arising Out of PS. Case No.-218 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

-
1. MUKESH KUMAR @ MUKESH YADAV S/O RAJENDRA YADAV
RESIDENT OF VILLAGE CHOTHA, PS RAJAULI, DISTRICT
NAWADA
 2. BIPIN KUMAR S/O RAMESHWAR YADAV @ RAMESHWAR PRASAD
YADAV R/O VILLAGE-BHOUR, P.S-RAJAULI, DISTRICT-NAWADA.
 3. RAKESH KUMAR @ KULDIP THAKUR S/O DHANESHWAR
THAKUR R/O VILLAGE-FULWARIYA, P.S.-RAJAULI, DISTRICT-
NAWADA.
 4. SUNNY YADAV S/O RAJENDRA YADAV R/O VILLAGE-CHOTHA, P.S-
RAJAULI, DISTRICT-NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-12-2021 It is submitted by learned counsel for the petitioner

that he seeks permission to withdraw this application against

petitioner nos. 1 and 4.

Permission is granted.

In view of the aforesaid submission, this application is

dismissed as withdrawn against petitioner no. 1 and 4.

Now learned counsel for the petitioner is pressing this

application only against petitioner no. 2 and 3.

Heard learned counsel for the petitioners and learned



APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with G.O. Case no. 218 of 2020 instituted for the offence under Sections 30(a) and 30(d) of the Bihar Excise Act.

The prosecution story relates to recovery of 116 liters mahua wine from the bank of canal near Jamundaha forest.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. The name of the petitioners have been disclosed in this case by the local persons. Neither the petitioners were arrested nor any incriminating article has been recovered from their possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners nos. 2 and 3 on bail. The petitioners nos. 2 and 3 are directed to surrender in the



Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with G.O Case no. 218 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge IInd-cum-Spl. Judge, Nawada subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

