

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28134 of 2021

Arising Out of PS. Case No.-231 Year-2020 Thana- PHULWARIYA District- Gopalganj

1. Pappu Yadav Son of Sharda Nand Yadav Resident of Village - Rampur Kala, P.S.- Fulwariya, Distt.- Gopalganj.
2. Amresh Yadav Son of Sharda Nand Yadav Resident of Village - Rampur Kala, P.S.- Fulwariya, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mishra

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in Fulwariya
P.S. Case No.231 of 2020, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. It is further submitted that there is no recovery
from the conscious possession of the petitioners rather 315 litres
of foreign liquor has been recovered from a car. The
apprehended person disclosed the name of the petitioners. It is
submitted that the petitioner no.2 has got no criminal



antecedent but petitioner no.1 has got one criminal antecedent in which he is on bail.

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

Petitioners are agreed to deposit a sum of Rs.30,000/- (rupees thirty thousand) each in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFS Code PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

In the facts and circumstances of the case, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge- 2nd, Gopalganj in connection with Fulwariya P.S. Case No.231 of 2020, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioners having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioners.



(3) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(4) The bail bonds of the petitioners shall be accepted by learned court below on showing receipt of deposit of Rs.30,000/- (rupees thirty thousand) each in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

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