

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30575 of 2020

Arising Out of PS. Case No.-129 Year-2020 Thana- SANDESH District- Bhojpur

1. SURAJ YADAV S/O - Wakil Yadav R/O Village - Nasaratpur, P.S. - Chilhos, Dist. - Bhojpur.
2. Wakil Yadav S/O- Late Megha Yadav R/O Village - Nasaratpur, P.S. - Chilhos, Dist. - Bhojpur.
3. Samrat Yadav Jagdish Yadav R/O Village - Nasaratpur, P.S.- Chilhos, Dist. - Bhojpur.
4. Loknath Chodhary not known R/O Village - Chilhos, P.S. - Sandesh, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh-I, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 20-01-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sandesh P.S. Case No. 129 of 2020, registered under sections 269, 270 and 188 of the Indian Penal Code, section 3 of the Epidemic Disease Act, 1897 and section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, while the accused persons including the four petitioners herein managed to escape, it is stated that articles used in manufacture of Mahua liquor were recovered from the side of Sone river. It is further stated that 60 litres of country liquor was also recovered.



It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and incorrect. No incriminating article has been recovered from the person or possession of the petitioners. They have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioners not having any criminal antecedent, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Sandesh P.S. Case no. 129 of 2020, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Excise Court, Bhojpur at Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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