

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11525 of 2022**

Arising Out of PS. Case No.-19 Year-2021 Thana- BHAGWANGANJ District- Patna

1. RAJU YADAV SON OF LALAN YADAV R/O - ROHILAPAR, P.S.- BHAGWANGANJ, DISTRICT- PATNA
2. JITENDRA YADAV SON OF SHRI AMRENDRA YADAV R/O - ROHILAPAR, P.S.- BHAGWANGANJ, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Shekhar

For the Opposite Party/s : Mr.Suresh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-07-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 39 (a), (c), (d) of the Bihar Prohibition & Excise Act.

As per the prosecution case, 50 liters of country made liquor has been recovered from bamboo clumps situated on the bank of Punpun river.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioners and they are no way



concerned with the alleged recovery. Recovery has been made from an open place accessible to all. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Patna in connection with Bhagwanganj PS case No. 19/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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