

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19637 of 2022

Arising Out of PS. Case No.-407 Year-2021 Thana- FATEHPUR District- Gaya

1. BINDU YADAV S/o Nageshwar Yadav Resident of Village- Rengaini, P.S.- Fatehpur, District- Gaya.
2. Pramod Yadav S/o Late Ramlal Yadav Resident of Village- Rengaini, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending his arrest in connection with Fatehpur P.S. Case no. 407 of 2021 instituted for the offence under Sections 30(b), 30(c) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of country made incriminating liquor from chimney in Raingaini forest.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. The name of the petitioners came into light on secret information. They have got no criminal antecedent. Petitioners



have no concern with the alleged recovery or with the place of occurrence. Neither the petitioners were arrested nor any incriminating article has been recovered from their conscious 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 on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Fatehpur P.S. Case no. 407 of 2021, he 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 Exclusive Special Excise Court No.1, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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