

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19844 of 2022

Arising Out of PS. Case No.-380 Year-2021 Thana- GOGRI District- Khagaria

1. Pankaj Yadav, Son Of Saudagar Yadav Resident Of Village - Chandpur, P.S.-
Chautham, District - Khagaria
2. Karan Yadav, Son Of Pankaj Yadav Resident Of Village - Chandpur, P.S.-
Chautham, District - Khagaria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2022 Heard learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Section
30(a) of the Excise Act, 2018.

The learned counsel for the petitioners submits that
the petitioners have antecedent of one case and the allegation is
of recovery of 03 litre of liquor from the house of petitioner
no.1.

The learned counsel for the petitioners submits that
the petitioners were not arrested from the spot, as such, nothing
was recovered from their conscious possession. It is next



submitted that petitioner no.2 is the son of the petitioner no.1, as such, he came to be implicated falsely in the present case.

The learned Additional Public Prosecutor opposes the anticipatory bail application and submits that the house belongs to petitioner no.1.

Considering the submissions made by the learned counsel for the petitioners, the petitioner no.2, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Gogari P. S. Case No.380 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

So far as petitioner no.1 is concerned, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no.1.

Accordingly, his prayer for anticipatory bail stands rejected.

However, if the petitioner no.1 surrenders in the



learned Court below on or before 11.08.2020, the learned Court below shall dispose of the bail application on the same day keeping in mind the quantity of recovery alleged to have been made from the house of petitioner no.1.

(Satyavrat Verma, J)

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