

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21359 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- RAJAOLI District- Nawada

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1. UMESH YADAV SON OF KESHAR YADAV R/O- PAHWACHAK, P.S.- RAJOULI, DISTRICT- NAWADA
 2. MUNNA YADAV SON OF UMESH YADAV R/O- PAHWACHAK, P.S.- RAJOULI, DISTRICT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

Allegation is of recovery of 150 litres of liquor from a Honda Shine Motorcycle and unspecified Jawa Mahua which was destroyed.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from



their conscious possession nor the alleged motorcycle from which recovery was made belongs to the petitioners. He further submits that petitioners came to be implicated based on secret information which is the simple mode of implicating innocent persons for saving the real culprits.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and the fact that petitioners are persons with clean antecedent, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.3,000/- (Rupees Three Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajouli P.S. Case No. 76 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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