

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22424 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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1. RUPA YADAV SON OF LATE JAWAHAR YADAV R/O VILLAGE- NICHALI BAZAR, P.S.- GIRIYAK, DISTRICT- NALANDA
 2. JITU YADAV SON OF RUPA YADAV R/O VILLAGE- NICHALI BAZAR, P.S.- GIRIYAK, DISTRICT- NALANDA
 3. BHOLA YADAV SON OF RUPA YADAV R/O VILLAGE- NICHALI BAZAR, P.S.- GIRIYAK, DISTRICT- NALANDA
 4. SATENDRA YADAV SON OF RUPA YADAV R/O VILLAGE- NICHALI BAZAR, P.S.- GIRIYAK, DISTRICT- NALANDA
 5. VIJAY YADAV @ VIJO YADAV SON OF RUPA YADAV R/O VILLAGE- NICHALI BAZAR, P.S.- GIRIYAK, DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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 virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30 (a) (d) (e) (g), 32, 36 and 56 of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no.1 has antecedent of three cases, petitioner no.2 has antecedent of four cases, petitioner nos. 3 and 5 have antecedent of one case and petitioner no. 4 has antecedent of four cases and



allegation is of recovery of 150 litres of liquor along with 160 litres of *sushab* and three cartoons of foreign liquor of 375 ml from Nandlal Yadav's land.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, the alleged recovery was made from a place which does not belong to the petitioners and the petitioners came to be implicated based on their antecedents. It is further submitted that petitioners name transpired in an inquiry but the F.I.R. does not disclose who disclosed the name of the petitioners.

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, 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. 25,000/- (Rupees Twenty Five 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 Case No. 13 C3 ex/22 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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