

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22410 of 2022

Arising Out of PS. Case No.-12 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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1. DINKAR KUMAR SON OF KAPILDEV YADAV R/O VILLAGE-
RAGHUNATHPUR, WARD NO.-08, P.S.- MURLIGANJ, DISTRICT-
MADHEPURA
 2. ASHISH KUMAR SON OF KAPILDEV YADAV R/O VILLAGE-
RAGHUNATHPUR, WARD NO.-08, P.S.- MURLIGANJ, DISTRICT-
MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant 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 Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioners submits that the
petitioners are persons with clean antecedent and allegation is of
recovery of 158.625 liter of liquor from the straw house of
Kapildev Yadav.

Learned counsel for the petitioners submits that the
petitioners were not apprehended from the spot as such nothing
was recovered from their conscious possession, it is next



submitted that even the recovery is from a place which does not belong to the petitioners and the name of the petitioners was disclosed by witnesses but the name of the witnesses has not been disclosed in the F.I.R. which amply demonstrates that to save the real culprits, the innocent petitioners have been implicated in the present case.

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. 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 Excise Case No. 977 of 2021 arising out of Madhepura Excise (P.S.) Case No. 12 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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