

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26222 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- TRIVENIGANJ District- Supaul

1. VIVEK YADAV @ VIVEK ANAND @ YADAV SON OF MANOJ YADAV
R/O VILLAGE- MACHAHA, WARD NO.-16, P.S.- TRIVENIGANJ,
DISTRICT- SUPAUL
2. PRAHLAD YADAV @ PRAHLAD KUMAR SON OF RAMU YADAV
R/O VILLAGE- MACHAHA, WARD NO.-16, P.S.- TRIVENIGANJ,
DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kanchan Jha, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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 540 ML of foreign liquor from straw house of
petitioner no. 1 and 3.66 litre of foreign liquor from the house
of petitioner no. 2 and 4.5 litre of liquor from the house of
Ramanand Yadav.



Learned counsel for the petitioners submits that the petitioners was not apprehended from the spot as such nothing was recovered from his conscious possession. It is next submitted that straw house is a place outside the house and as such is accessible to villagers at large and it appears that in some small quantity someone had kept the liquor without the knowledge of the petitioner no. 1, it is next submitted that the house of petitioner no. 2 is a joint family property but police in mechanical manner implicated the petitioner based on information given by the villagers and witnesses Mithlesh and Kishore Kumar with whom petitioner no. 2 is on an inimical term.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is



pending/successor court in connection with Triveniganj P.S.
Case No. 106 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

