

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27667 of 2022**

Arising Out of PS. Case No.-63 Year-2022 Thana- AANDAR District- Siwan

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1. RAJNISH YADAV SON OF INSPECTOR YADAV R/O- VILL-  
MASUDUHA, P.S.- ANDER, DIST.- SIWAN
  2. ANIRUDH YADAV SON OF LATE KAPILDEO SINGH R/O- VILL-  
MASUDUHA, P.S.- ANDER, DIST.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      11-08-2022                      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 38.4 litre from a straw kept behind Masudaha  
Mathiya.

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



submitted that even the place from where the alleged recovery was made, does not belong to the petitioners and the name of the petitioners were disclosed by local people, the learned counsel for the petitioners next submits that he is sitting in the Court for a long time and has felt that either the petitioners are being implicated by local chawkidar or by local people or based on secret information and the F.I.R does not disclose the name of the persons who disclose about the identity of the accused persons. Hence, it is submitted that it has become a modus to falsely implicate the persons who are persons with clean antecedent, in order to save 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, 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. 2,000/- (Rupees Two 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 Ander P.S. Case No. 63 of 2022 subject to the conditions as laid down under



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

(Satyavrat Verma, J)

Shivam/-

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