

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28546 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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1. Mukesh Kumar Yadav @ Mukesh Kumar Son Of Makhan Yadav Resident Of Village - Dwarika Tola, Ward No.10, P.S.- Murliganj, Distt.- Madhepura.
 2. Anand Kumar Son Of Umesh Yadav Resident Of Village - Dwarika Tola, Ward No.10, P.S.- Murliganj, Distt.- Madhepura.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad- Advocate

For the Opposite Party/s : Mr. Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of three cases and petitioner no.2 is a person with clean antecedent and the allegation is of recovery of 16.740 litre of liquor kept in a plastic sack from the place of occurrence near the road.

The learned counsel for the petitioners submits that the petitioners were not arrested from the spot, as such, nothing was recovered from their possession. It is next submitted that the place



from where the alleged recovery was made is a public place accessible to all and the petitioners came to be implicated based on the statement of local people, but the F.I.R. does not disclose any local people, who disclosed the name of the petitioners.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, are directed to be released on bail on their furnishing respective bail-bonds in the sum of **Rs. 2,000/- (Rupees Two Thousand) for the petitioner no.2** and in the sum of **Rs. 20,000/- (Rupees Twenty Thousand) for the petitioner no.1** with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Madhepura Excise P. S. Case No.20 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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