

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30588 of 2022

Arising Out of PS. Case No.-526 Year-2020 Thana- MASAUDHI District- Patna

1. Chhote Yadav, S/O Nepali Yadav Resident Of Village Jilalbigha, P.S.- Masaurhi, District- Patna
2. Arun Yadav, S/O Rajesh Prasad Resident Of Village Jilalbigha, P.S.- Masaurhi, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sharma

For the Opposite Party/s : Ms. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2022 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 Sections
30(a) and 30(d) of the Excise Act, 2018.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
allegation is of recovery of 10 litre of mahua from a Bhatti in
the village.

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



submitted that the petitioners came to be implicated based on secret information which is the easiest way to implicate an innocent person in order to save the real culprit. It is further submitted that the petitioners have no concern with the alleged Bhatti from where the alleged recovery is said to have been made.

Learned A.P.P. opposes the 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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Special Case No.5137 of 2020 arising out of Masaurhi P. S. Case No.526 of 2020, 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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