

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38307 of 2022

Arising Out of PS. Case No.-278 Year-2022 Thana- JOGAPATTI District- West Champaran

1. DHANESH YADAV SON OF LATE RADHA YADAV R/O VILLAGE-CHAUMUKHA, P.S.- YOGAPATTI, DISTRICT- WEST CHAMPARAN
2. SAMTOLA DEVI WIFE OF DHANESH YADAV R/O VILLAGE-CHAUMUKHA, P.S.- YOGAPATTI, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 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 Sections 272 and 273 of Indian Penal Code and 30(a), 37 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 40 liters of liquor from a place behind the house of the petitioners.

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 recovery is from a place which does not



belong to the petitioner and they came to be implicated merely because the alleged recovery was from a place which is adjacent to the house of the petitioners, further, it is also submitted that petitioners were implicated based on secret information which is the easiest way to implicate someone when admittedly petitioners are persons with clean antecedent.

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. 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 Yogapatti P.S. Case No. 278 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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