

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38984 of 2022

Arising Out of PS. Case No.-409 Year-2018 Thana- LAXMIPUR District- Jamui

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1. ANIL YADAV S/O NAGESHWAR YADAV @ NUNESHWAR YADAV
Resident of Village- Kushitari, P.S.- Laxmipur, District- Jamui.
 2. NANKI YADAV @ VINOD YADAV S/O YAMUNA YADAV Resident of
Village- Kushitari, P.S.- Laxmipur, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Raj, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent and allegation is of recovery of 2400 liters of soaked java mahua from a forest area which was destroyed at the spot and 5 liters of country-made liquor from aluminum from Ghamankunda forest along with 50 tins of soaked java mahua which was destroyed on spot.

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 petitioners came to implicated at the instance of Chowkidar with whom they are on an inimical term, further the alleged place of recovery is accessible to public at large.

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. 10,000/- (Rupees Ten Thousand) to petitioner no. 1 and Rs. 1,000/- (Rupees One Thousand) to petitioner no. 2 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 Laxmipur P.S. Case No. 409 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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