

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46968 of 2022

Arising Out of PS. Case No.-99 Year-2022 Thana- THARTHARI District- Nalanda

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1. SAGAR YADAV @ SATENDRA YADAV SON OF MUNNI LAL YADAV
R/O VILLAGE- PALTU BIGHA, P.S.- THARTHAR, DISTRICT-
NALANDA
 2. MITHALESH YADAV @ RABBU YADAV SON OF LATE BRIKSH
YADAV R/O VILLAGE- PALTU BIGHA, P.S.- THARTHAR, DISTRICT-
NALANDA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar
For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a)/30(c)/30(d) of the Bihar Prohibition and Excise Act.

40 litres of country made liquor is said to have been recovered from the place of occurrence. The petitioners are said to have fled away from the place of occurrence after seeing the police.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the petitioner no.1 has



got four criminal antecedents and petitioner no.2 has got three criminal antecedents of similar nature as stated in paragraph-3 of the bail application. It is also submitted that there is no recovery from the conscious possession of the petitioners.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Considering the fact that the petitioners have got criminal antecedents of similar nature of the offence, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected in connection with Tharthari P.S. Case No.99 of 2022, pending in the court of learned 4th Additional District & Sessions Judge-cum-Special Judge, Excise IInd, Biharsarif.

(Anjani Kumar Sharan, J.)

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