

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47238 of 2022

Arising Out of PS. Case No.-252 Year-2021 Thana- GOH District- Aurangabad

1. GUDU YADAV Son of Naresh Yadav Resident of Village - Jujharpur, P.s.- Goh, Distt.- Aurangabad.
2. Ghuran Paswan Son of Late Briksh Paswan Resident of Village - Jujharpur, P.s.- Goh, Distt.- Aurangabad.
3. Shiv Kumar Yadav Son of Sita Yadav Resident of Village - Dingrahi, P.s.- Goh, Distt.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-09-2022 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 Section 30(a) 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 5 litre of liquor and 1000 litre of Jawa Mahuwa which was destroyed at the spot from a place near north-west side of a pond in Kusamhara.

Learned counsel for the petitioners submits that the



petitioners were not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that even the place of recovery is accessible to public at large and the petitioners came to be implicated at the instance of chawkidar, it is also submitted that it appears with a view to save the real culprits, the petitioner have been falsely implicated when they 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 Goh P.S. Case No. 252 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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