

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61111 of 2022

Arising Out of PS. Case No.-202 Year-2022 Thana- SISWAN District- Siwan

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1. RAHUL YADAV @ RAHUL KUMAR YADAV @ CHHOTU Son of Late Bhikhari Yadav R/O Village- Geyaspur, P.S- Siswan, District- Siwan
 2. SHAILESH YADAV @ RAGHUBIR YADAV S/O Ram Nath Yadav R/O Village- Geyaspur, P.S- Siswan, District- Siwan
 3. Ram Nath Yadav S/O Late Baldev Yadav R/O Village- Geyaspur, P.S- Siswan, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAM NATH YADAV SON OF LATE BALDEV YADAV RESIDENT OF VILLAGE GEYASPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2022 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 30(a), 34 and 36 of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner No. 2 has antecedent of one case and petitioner No. 1 and 3 are persons with clean antecedent and allegation is of recovery of 111 liters of liquor from the bank of Saryu river.

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 belongs to the petitioners and is accessible to public at large and they came to be implicated based on secret information which is the easiest way to implicate someone.

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. 20,000/- (Rupees Twenty 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 Siswan P.S. Case No. 202 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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