

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1420 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- RAGHUNATHPUR District- Siwan

1. DHANANJAY YADAV S/O NATMAL YADAV R/o village- Gabhirari, P.S.- Raghunathpur, District- Siwan
2. Maksudan Malah S/o Dina Malah R/o village- Hussepur Naya Tola, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aprajita

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitionerw and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Raghunathpur P.S. Case no. 92 of 2021 instituted for the offence under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 75 litres of mahua liquor from a garden near Gambhirar dam. Three accused persons including the petitioners managed to escape from there.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery or with the place of occurrence.



The alleged place is an open area, which is easily accessible to all. The name of the petitioners have been disclosed in this case by the local chowkidar, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Raghunathpur P.S. Case no. 92 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. 2nd cum special Judge Excise Act, District - Siwan subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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