

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69811 of 2022**

Arising Out of PS. Case No.-72 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Supaul

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1. Sintu Yadav @ Santu Kumar Yadav @ Santu Kumar Son of Son Darpi Yadav R/o Village- Jarauli, Ward No.15, Ratauli, P.S.-Pipra, District- Supaul
 2. Manish Yadav @ Manish Kumar Son of Kalicharan Yadav R/o Village- Jarauli, Ward No.15, P.S.- Pipra, District- Supaul
 3. Sunil Yadav @ Sunil Kumar Son of Vidyanand Yadav @ Vidynand Yadav R/O Village- Jarauli, Ward No.15, Ratauli, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 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 petitioner nos. 1 and 3 have antecedent of one case, petitioner no.2 is a person with clean antecedent and allegation is of recovery of 656.46 litres liquor from a field.

Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and they came to be implicated based on the confessional statement of co-accused



Vikash Kumar in police custody which does not have any evidentiary value and even the alleged recovery is from a place which 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Supaul P.S. Case No. 72 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioners shall verify their criminal antecedents and if it is found that the petitioners have got more criminal antecedents than what has been recorded in the present anticipatory bail order, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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