

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68057 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

1. BIKASH YADAV S/O RAMNATH YADAV Resident of Village- Masardh Tola, P.S.- Uadwantnagar, District- Bhojpur.
2. BISHWASH YADAV S/O RAMNATH YADAV Resident of Village- Masardh Tola, P.S.- Uadwantnagar, District- Bhojpur.
3. RAMNATH YADAV S/O LATE RAM CHANDRA YADAV Resident of Village- Masardh Tola, P.S.- Uadwantnagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh

For the Opposite Party/s : Mrs.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Udwantnagar P.S. Case no. 41 2022 instituted for the offence under Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 100 litres mahua liquor from the bank of the river. On seeing the police party 8-10 persons managed to escape. Local choukidar has identified the six accused persons including the petitioner.

Learned counsel appearing on behalf of the petitioners has 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 name of the petitioner has been disclosed in this case by local choukidar before the police, which has got no evidentiary value in the eye of law. Neither the petitioners were arrested nor any incriminating article has been recovered from their 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 Udwanthnagar P.S. Case no. 41 of 2022, he 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 Exclusive Special Judge Excise Court No. II-cum-Additional Sessions Judge XI, Bhojpur at Ara subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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