

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15154 of 2023

Arising Out of PS. Case No.-106 Year-2022 Thana- BACHHWARA District- Begusarai

1. RAVI KUMAR SON OF PREM LAL YADAV R/O VILL.- SHIBU TOLA,
P.S.- BACHHWARA, DISTT.- BEGUSARAI
2. AMARJEET YADAV @ AMARJEET KUMAR SON OF PREM LAL
YADAV R/O VILL.- SHIBU TOLA, P.S.- BACHHWARA, DISTT.-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Patel, Advocate

For the Opposite Party/s : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

Learned counsel for the petitioners submits that petitioner
no. 1 has antecedent of one case and petitioner no. 2 is a person with
clean antecedent.

Allegation is of recovery of 2.625 litres of liquor from the
straw house of the petitioners.

Learned counsel for the petitioners submits that petitioners
were not arrested from the spot, as such, nothing was recovered from
their conscious possession. It is further submitted that the straw
house is a place outside the house and is an open place and is



accessible to the villagers at large, as such, it appears that someone, inimical to the petitioners, kept the liquor in the straw house to falsely implicate them. It is next submitted that the alleged recovery is of a meager quantity of liquor which further reinforces the fact that someone used the premises of the petitioners for illegal purpose. It is also submitted that the petitioners came to be implicated at the instance of the Excise Department.

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.5,000/- (Rupees Five 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 Bachhawara P.S. Case No. 106 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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