

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13930 of 2023

Arising Out of PS. Case No.-246 Year-2022 Thana- LAUKAHI District- Madhubani

1. AMRENDRA KUMAR YADAV @ AMRENDRA YADAV S/O Ram Yadav
R/O Village- Atri, P.S- Laukahi, District- Madhubani
2. Deepak Kumar Yadav @ Deepak Yadav S/O Jagdish Yadav R/O Village-
Atri, P.S- Laukahi, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 Heard the parties.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 272, 273 and 34 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 81 litres of Nepali liquor is said to have been recovered from sacks which is alleged to be thrown away by the petitioners and other accused, in course of their escape.

Learned counsel for the petitioner submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Their name transpired in this case on the disclosure of local people. Petitioners have



neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. They have no concern either with the seized liquor or any trade of liquor. Petitioner no.1 has two criminal antecedent of similar nature of offence and petitioner no.2 has no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioner no.1 is agreed to deposit a sum of Rs. 30,000.00/- (Rupees Thirty Thousand) and petitioner no.2 is agreed to deposit a sum of Rs.10,000.00/- (Rupees Ten Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty 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 Laukahi P.S. Case No.246 of 2022, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C,
as also the following conditions.

(1) That one of the bailors will be a close relative of
the petitioner, who will give an affidavit giving genealogy as to
how he is related with the petitioner. He will also undertake to
inform the Court if there is any change in the address of the
petitioner.

(2) The bailor shall also state on affidavit that he will
inform the Court concerned if the petitioner is implicated in any
other case of similar nature and thereafter the Court below will
be at liberty to initiate proceeding for cancellation of
anticipatory bail on the ground of misuse.

The bail bond of the petitioners shall be accepted by the
learned Court below on showing receipt of deposit of the
aforesaid undertaken amount in the Patna High Court Legal
Services Committee.

(Anjani Kumar Sharan, J)

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