

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23207 of 2023

Arising Out of PS. Case No.-131 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

1. HARENDRA YADAV Son of Sidheshwar Yadav Resident of village - Asani, P.S.- Udawant Nagar, Dist.- Bhojpur.
2. Satyendra Yadav Son of Manoj Yadav Resident of village - Asani, P.S.- Udawant Nagar, Dist.- Bhojpur.
3. Saroj Yadav Son of Kashi Yadav Resident of village - Asani, P.S.- Udawant Nagar, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

Allegation is of recovery of 34 litres of liquor from the bank of Banas River kept in plastic boxes.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession, even the recovery is



from a place which is accessible to public at large and does not belong to the petitioners and they came to be implicated at the instance of the Chawkidar with a view to save the real culprits when admittedly petitioners are persons with clean antecedent.

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.1,000/- (Rupees One 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 Udawant Nagar P.S. Case No. 131 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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