

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22669 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- TEYAR District- Bhojpur

1. SURRENDER YADAV S/o- LATE DAROGA YADAV Village- Araila Dera Ps- Tiyar Dist- Bhojpur
2. Lallan Yadav son of Kalaktar Yadav Village- Araila Dera Ps- Tiyar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 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 offences punishable under Sections 30(a)(d) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 1400 liters of mahua wine along with 60 liters of liquor from an open field.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next



submitted that even the alleged 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 based on disclosure made by the local Chowkidar with whom they are on an inimical term, 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 trial court 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 trial court where the case is pending/successor court in connection with Tiya P.S. Case No. 14 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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