

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26442 of 2023**

Arising Out of PS. Case No.-46 Year-2023 Thana- RAJAOLI District- Nawada

1. SUBODH YADAV SON OF KAILASH YADAV R/O VILLAGE- JOGNI, P.S.- RAJAULI, DISTRICT- NAWADA
2. BALMIKI YADAV @ BALMIKI KUMAR SON OF MUNNA YADAV @ MANNA KUMAR R/O VILLAGE- JOGNI, P.S.- RAJAULI, DISTRICT- NAWADA
3. SUMAN KUMAR SON OF MUNNA YADAV @ MANNA YADAV R/O VILLAGE- JOGNI, P.S.- RAJAULI, DISTRICT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, 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 offences punishable under Section 30(a) 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 28 liters of liquor from Murhena market near a bridge.

Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession, it is next submitted that they came to be implicated based on confessional statement of Mukesh Kumar in police custody which does not have any evidentiary value, 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 Rajaoli P.S. Case No. 46 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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