

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22844 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- POTHIA District- Kishanganj

1. GAUTAM PRASAD YADAV S/O GOVIND YADAV @ GOVIND LAL YADAV Resident of village- Taiyabpur, P.S.- Pothia, District- Kishanganj.
2. BINOD YADAV S/O GOVIND YADAV @ GOVIND LAL YADAV Resident of village- Taiyabpur, P.S.- Pothia, District- Kishanganj.
3. ROHIT YADAV S/O GOVIND YADAV @ GOVIND LAL YADAV Resident of village- Taiyabpur, P.S.- Pothia, District- Kishanganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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 147, 148, 341, 342, 323, 307, 353, 224, 504 and 506 of the Indian Penal Code and under Section 37 of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and they are alleged to have created nuisance in a drunken condition



while other 15 unknown accused created ruckus with the informant.

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 also submitted that police falsely implicated them alleging that they were in a drunken condition, it is next submitted that had the petitioners being drunk then definitely the police would have arrested them and granted them police bail, but since petitioners were not arrested that creates a doubt with regard to veracity of the allegation as alleged.

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 Pothia P.S. Case No. 09 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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