

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24859 of 2023

Arising Out of PS. Case No.-433 Year-2022 Thana- MUNGER MUFFASIL District- Munger

1. Sudhir Yadav @ Sudhir Kumar Yadav, Son Of Late Mahendra Prasad Yadav Resident Of Village - Shankarpur, P.S.- Munger Muffasil, District - Munger.
2. Sagar Kumar @ Sagar Kumar Yadav, Son Of Sudhir Yadav @ Sudhir Kumar Yadav Resident Of Village - Shankarpur, P.S.- Munger Muffasil, District - Munger.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Section
30(a) of the Excise Act.

The learned counsel for the petitioners submits that
the petitioner no.1 has antecedent of two cases and petitioner
no.2 has antecedent of one case and the allegation is of recovery
of 176.25 litres of liquor from a bush and one lady was arrested,
who disclosed the name of the petitioners.

The learned counsel for the petitioners submits that
petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession and even the alleged recovery is from place which does not belong to the petitioners, but is near to the place of the petitioners, as such, the wife of petitioner no.1 on suspicion came to be arrested and police forcefully got her confession recorded in custody wherein she she implicated her husband and son, which does not have any evidentiary value.

Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-IIInd, Munger in connection with Munger Muffasil P. S. Case No.433 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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