

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28290 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- TURKAULIYA District- East
Champaran

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1. RAJESH KUMAR S/O ARVIND YADAV @ ARVIND RAI R/O Village-
Laxmipur, P.O- Shankar Saraiyan, P.S- Raghunathpur (O.P), Distt.- East
Champaran, Bihar.
 2. Arvind Yadav @ Arvind Rai S/O Kapildev Rai R/O Village- Laxmipur, P.O-
Shankar Saraiyan, P.S- Raghunathpur (O.P), Distt.- East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 272, 273
and 34 of the Indian Penal Code and under Section 30(a) and
41(1) 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 105 liters of liquor from a place 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 and they came to be



implicated at the instance of local people, but then the F.I.R. does not disclose the name of the local people who disclosed the name of the petitioners which creates doubt with regard to veracity of the prosecution's case and even the alleged recovery is from a place which is accessible to public at large.

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 Tulkauliya P.S. Case No. 204 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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