

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30116 of 2023**

Arising Out of PS. Case No.-446 Year-2022 Thana- JAYNAGAR District- Madhubani

1. DEVGAN MUKHIYA Son of Bhogo Yadav @ Bhogi Yadav Resident of village - Dorwa @ Dorwar Korhiya, P.S. - Jaynagar, Distt. - Madhubani
2. Laloo Yadav Son of Ram Chandra Yadav Resident of village - Dorwa @ Dorwar Korhiya, P.S. - Jaynagar, Distt. - Madhubani
3. Kasindra Mukhiya Son of Pujan Mukhiya Resident of village - Dorwa @ Dorwar Korhiya, P.S. - Jaynagar, Distt. - Madhubani
4. Sudi Mukhiya Son of Late Manager Mukhiya Resident of village - Dorwa @ Dorwar Korhiya, P.S. - Jaynagar, Distt. - Madhubani
5. Shiv Pujan Master @ Ram Pujan Mukhiya Son of Late Suraj Mukhiya Resident of village - Dorwa @ Dorwar Korhiya, P.S. - Jaynagar, Distt. - Madhubani
6. Deepak Mukhiya @ Deepu Mukhiya Son of Kame Mukhiya @ Kameshwar Mukhiya Resident of village - Dorwa @ Dorwar Korhiya, P.S. - Jaynagar, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prabhakar Thakur, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      18-05-2023                      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) and 41 of the Bihar Excise Act and Sections 272, 273, 414 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the



petitioner nos. 1, 2, 5 and 6 are persons with clean antecedent and petitioner nos. 3 and 4 have antecedent of one case and allegation is of recovery of 900 liters of liquor from four vehicles as detailed in the FIR.

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 petitioners are not the owners of any of the seized vehicles and came to be implicated based on secret information, when admittedly petitioner nos. 1, 2, 5 and 6 are persons with clean antecedent, it is further submitted that since petitioner nos. 1, 2, 5 and 6 are known to petitioner nos. 3 and 4 as such, the police falsely implicated them.

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. 15,000/- (Rupees Fifteen 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 Jaynagar  
P.S. Case No. 446 of 2022 subject to the conditions as laid down  
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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