

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28970 of 2023

Arising Out of PS. Case No.-780 Year-2022 Thana- BELAGANJ District- Gaya

1. ANIL YADAV @ ANIL KUMAR S/O DEVNANDAN YADAV R/O Village- Panari, Tola- Narayanpur, P.S- Belaganj, Distt.- Gaya.
2. Sunil Yadav @ Sunil Kumar S/O Devnandan Yadav R/O Village- Panari, Tola- Narayanpur, P.S- Belaganj, Distt.- Gaya.
3. Saurav Yadav @ Saurav Kumar S/O Arjun Yadav R/O Village- Panari, Tola- Narayanpur, P.S- Belaganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate
For the Opposite Party/s : Ms. Meena Singh, 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 Section 30(a) (c) (d) (g) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioners submits that petitioners have antecedent of two cases.

Allegation is of recovery of 1200 litres of soaked Jawa Mahua from the field of the father of the petitioner nos. 1 and 2.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is further submitted



that no prudent person would use his own land for committing a crime and thus would create evidence against himself and hence would get implicated. It is next submitted that since the petitioners belonged to the same family, as such, it appears that the Chawkidar falsely implicated them because of their antecedent with whom the petitioners are on an inimical term.

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 Court below 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 court below where the case is pending/successor court in connection with Belaganj P.S. Case No. 780 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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