

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33430 of 2023**

Arising Out of PS. Case No.-367 Year-2022 Thana- MADHUBANI TOWN District-  
Madhubani

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1. BISHU YADAV @ BISHUN KUMAR YADAV @ VISUN KUMAR YADAV Son of Bilash Yadav @ Rambilash Yadav Resident of village - Kotwali Chowk, ward no. 30, P.S. - Town, Distt. - Madhubani
  2. Bebi Devi Wife of Kishun Yadav Resident of village - Kotwali Chowk, ward no. 30, P.S. - Town, Distt. - Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Bharti  
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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

2      25-05-2023                      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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that petitioner No. 2 is a women and are persons with clean antecedent and allegation is of recovery of 28.800 liters of liquor from a place behind the house of Kishun Yadav.

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 even the alleged recovery is from a place which does not belong to the petitioners and they came to be implicated based on secret information which is the easiest way to implicate someone when admittedly, the petitioners are persons with clean antecedent.

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 Madhubani P.S. Case No. 367 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

HarshPandey/-

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