

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33494 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- KURSAKANTA District- Araria

1. GHANSHYAM YADAV @ PANDIT S/O TARACHAND YADAV R/O Village- Kuwari, Ward No. 09, P.S- Kursakanta Kuwari (O.P), Distt.- Araria.
2. Krita Yadav @ Krityanand Yadav S/O Tarachand Yadav R/O Village- Kuwari, Ward No. 09, P.S- Kursakanta Kuwari (O.P), Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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. 1 has antecedent of two cases and petitioner No. 2 has antecedent of one case and allegation is of recovery of 36 liters of liquor from an open field.

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 is an open place and is accessible to public at large and does not belong to the petitioners and the petitioners came to be implicated at the instance of Chowkidar with whom they are on an inimical term because of their antecedents.

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. 10,000/- (Rupees Ten 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 Kursakanta P.S. Case No. 44 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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