

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36192 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- RAJAOLI District- Nawada

1. Anil Yadav Son of Ram Balak Yadav Resident of Village Hathuadharan, PS- Tilaiya, District- Kodarma, State- Jharkhand
2. Sunil Yadav son of Ram Balak Yadav Resident of Village Hathuadharan, PS- Tilaiya, District- Kodarma, State- Jharkhand
3. Pappu Kumar Yadav @ Pappu Yadav Son of Ram Balak Yadav Resident of Village Hathuadharan, PS- Tilaiya, District- Kodarma, State- Jharkhand
4. Mahesh Yadav Son of Vasudev Yadav Resident of Village Hathuadharan, PS- Tilaiya, District- Kodarma, State- Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-06-2023 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.

Learned counsel for the petitioners submits that the petitioners are persons clean antecedent and allegation is of recovery of 1000 liters of liquor from nine motorcycles.

Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession, it is next submitted that they came to be implicated based on confessional statement of apprehended co-accused in police custody which does not have any evidentiary value. It is also submitted that petitioners are not the owner of any of the seized motorcycles.

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 Rajauli P.S. Case No. 35 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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