

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36779 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- NAUTAN District- West Champaran

1. PRAMOD YADAV S/O CHANDRIKA YADAV R/O Village- Utarri Telhua, Bhagwanpur, P.S- Nautan, Distt.- West Champaran.
2. Rajeshvar Yadav @ Rajeshwar Yadav S/O Dhodha Yadav R/O Village- Utarri Telhua, Bhagwanpur, P.S- Nautan, Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, 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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners have antecedent of two cases and allegation is of recovery of 181.440 litres of liquor from a vehicle and one motorcycle.

Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession, and they came to be



implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value, it is further submitted that the petitioners are not the owners of the seized vehicle or the motorcycle.

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 Nautan P.S. Case No. 115 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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