

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50281 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- DULHIN BAZAR District- Patna

1. Santosh Kumar S/O- Sushil Yadav Village- Gulalchak PS- Dulhin Bazar Dist- Patna
2. Sonu Kumar son of Vakil Yadav Village- Gulalchak PS- Dulhin Bazar, Dist- Patna
3. Anil Kumar @ Anil Yadav son of Swrup Yadav @ Ramswrup Yadav Village- Gulalchak PS- Dulhin Bazar, Dist- Patna
4. Rajesh Kumar son of Krishna Yadav Village- Gulalchak PS- Dulhin Bazar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Prasad, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 100 litres country made liquor has been recovered from behind the house of the petitioners.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in the present case and no incriminating material has been recovered from the



conscious possession of the petitioners.

5. Learned counsel for the State submits that petitioner No. 4 has got one criminal antecedent of similar nature.

6. Considering the aforesaid facts and circumstances of the case, the anticipatory bail with regard to petitioner Nos. 1, 2 and 3 is allowed and it is ordered that let the above named petitioner Nos. 1, 2 and 3 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Special Excise Judge, Danapur in connection with Dulhin Bazar P. S. Case No. 318 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

7. However, in view of the fact that petitioner No. 4 has got one criminal antecedent of similar nature, prayer for anticipatory bail of the above named petitioner No. 4 is refused.

8. This case is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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