

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46221 of 2023

Arising Out of PS. Case No.-100 Year-2023 Thana- YADOPUR District- Gopalganj

1. RADHESHYAM YADAV SON OF BALAK YADAV RESIDENT OF VILLAGE - SHAMPUR KOTARHA, (BAIJUBHAGAT KE TOLA), P.S. - NAUTAN, DISTRICT - WEST CHAMPARAN AT BETTIAH
2. SHANKAR MAHTO @ SHANKAR MAHATO SON OF SHYAMSUNDAR MAHTO RESIDENT OF VILLAGE - RAJWAHI, P.S. - JADOPUR, DISTRICT - GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devashish Giri, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case.

4. Allegation is of recovery of 200.49 litres of liquor from a tractor.

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



recovered from their conscious possession and they came to be implicated based on suspicion when they are not the owners of the tractor.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. 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.5,000/- (Rupees Five 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 Jadopur P.S. Case No. 100 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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