

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53387 of 2023

Arising Out of PS. Case No.-161 Year-2023 Thana- DEHRI TOWN District- Rohtas

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1. SHAKTI YADAVA @ SHAKTI YADAV son of late Daroga Yadava Village- Shivganj PS- Dehri Town Dist- Rohtas Sasaram
 2. Kranti Yadava @ Kranti Yadav son of Late Daroga Yadava Village- Shivganj PS- Dehri Town Dist- Rohtas Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishor Singh, Advocate

For the Opposite Party/s : Mr. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 17-08-2023 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 offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 7.125 liters of liquor from the place beside the bathroom built behind Nationalized Middle School.
4. 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 at the instance of local people, but then the FIR does



not disclose the name of the person who disclosed the name of the petitioners which casts an aspersion on the case of the prosecution, when admittedly petitioners are persons with clean antecedent. It is also submitted that even the alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large.

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

6. 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 Dehri (Town) P.S. Case No. 161 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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