

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53114 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. Renu Devi @ Renu Yadav W/o Sanjeev Yadav R/V- Pirnagar, Gamharia, Ward No. 5, P.S- Navkothi, Dist- Begusarai
 2. Sanjeev Kumar Yadav Son of Late Raghuvansh Yadav R/V- Pirnagar, Gamharia, Ward No. 5, P.S- Navkothi, Dist- Begusarai
 3. Harshvardhan Kumar Son of Sanjeev Yadav R/V- Pirnagar, Gamharia, Ward No. 5, P.S- Navkothi, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

3 25-02-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Navkothi P. S. Case No. 31 of 2022 registered for the offences punishable under Sections 272, 273, 224, 225 and 120B of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 08 litres of illicit country made liquor was recovered from a *Bari* (a piece of land) situated behind the house of the petitioners.

Learned counsel for the petitioners has submitted that



the petitioners have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The names of the petitioners have been dragged in the case at the instance of his enemy. The said recovery was made from an open place which is accessible to anyone. Learned counsel further submitted that no case is made out against the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail petition of the petitioners.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, Begusarai in connection with Navkothi P. S. Case No. 31 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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