

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54854 of 2023

Arising Out of PS. Case No.-126 Year-2023 Thana- ALOULI District- Khagaria

1. Sarbind Yadav @ Service Yadav ,S/O Babjan Yadav
 2. Jitendra Yadav @ Gandori Yadav, S/O Dani Yadav
- Both are Resident of Village- Alauli, P.S- Alauli, District.- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Alauli P.S. Case No. 126 of 2023, G. R (E) No. 107 of 2023 dated 24.03.2023 registered for the offence(s) punishable under Section(s) 30 (a) of Bihar Prohibition and Excise Act .

3. The main submissions advanced by the learned counsel for the petitioners are that petitioners have no criminal antecedent, they were not apprehended at the spot and as per prosecution's allegation, two co-accused persons namely, Narad Yadav and Bibhuti Kumar were apprehended at the spot with the alleged 144 litres of foreign liquor, the petitioners' role in the



alleged crime came into light in the statement of the apprehended co-accused persons except this there is no material to connect them to the alleged crime.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Heard both the sides and perused the FIR. The petitioners are named in the FIR though they were not apprehended at the spot but the apprehended co-accused persons revealed their names as being involved in the alleged crime of smuggling of the foreign liquor and according to the prosecution, both the petitioners managed to escape on seeing the police party and against them the investigation is pending and their role in the alleged crime is to be investigated and the petitioners' prayer for anticipatory bail is also not maintainable. Accordingly, this court is not inclined to accept their bail prayer. Hence, their prayer for anticipatory bail stands rejected.

(Shailendra Singh, J)

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