

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55166 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- JIRADEI District- Siwan

1. PINTU YADAV @ PINTU KUMAR YADAV son of Lalan Yadav village-
Khargirampur Po- Khargirampur Ps- Jiradei Dist- Siwan
2. Shriniwas Yadav son of Daroga Yadav village- Khargirampur Po-
Khargirampur Ps- Jiradei Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi, Advocate

For the Opposite Party/s : Mr. Anish Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2023 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 offence punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 15.800 liters of liquor from a motorcycle and 243 liters of liquor from a place beside the pitch road.

4. Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and they came to



be implicated merely based on disclosure made by the villager but then the FIR does not disclose the name of the villager who disclosed the name of the petitioners which casts an aspersion on the case of the prosecution, it is next submitted that petitioners are not the owners of the seized vehicle and the alleged recovery of 243 liters of liquor is from a place which 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 Jiradei P.S. Case No. 79 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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