

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55593 of 2023

Arising Out of PS. Case No.-377 Year-2023 Thana- BRAHMPUR District- Buxar

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1. VAKIL YADAV S/O - KAWAL YADAV R/O BARKI NAINIJOR, P.S. - NAINIJOR, DISTRICT BUXAR
 2. SHANKAR GORDH S/O - PRABHU GORDH R/O BARKI NAINIJOR, P.S. - NAINIJOR, DISTRICT BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2023 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 Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of three cases and petitioner no. 2 has antecedent of one case.

4. Allegation is of recovery of 62.840 litres of liquor from a plastic bag found near the Kali Temple.

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 at the instance of the Chawkidar with whom they are on an inimical term. It is further submitted that even the alleged recovery is from a place which is accessible to public at large.

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.20,000/- (Rupees Twenty 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 Brahmpur (Nainijor) P.S. Case No. 377 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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