

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60295 of 2023

Arising Out of PS. Case No.-319 Year-2023 Thana- NAUTAN District- West Champaran

1. Manoj Yadav @ Manoj Kumar Son of Pundev Yadav Resident of Village - Bhediharwa, P.S. - Nautan, District - West Champaran
 2. Vinay Kumar @ Binay Kumar @ Binay Yadav Son of Kamaldev Yadav Resident of Village - Bhediharwa, P.S. - Nautan, District - West Champaran
- Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Nautan P.S. Case No. 319 of 2023 instituted under Section 414 of the Indian Penal Code read with Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, there is recovery of total 260.085 litres of foreign liquor from the Bolero vehicle and also from the motorcycles.

4. Learned counsel for the petitioners submits that petitioners are innocent. They were not apprehended from the place of occurrence. The Bolero vehicle or motorcycle or illegal liquor seized from the place of occurrence do not belong to the



petitioners. Petitioner No. 1 has five criminal antecedents whereas Petitioner No. 2 has three criminal antecedents and due to their criminal antecedents they have falsely been implicated in this case. Learned counsel for the petitioner further submits that except confessional statement of co-accused Arjun Kumar there is no material against the petitioners. It is further submitted that petitioners will co-operate in the investigation.

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

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Bettiah, West Champaran in connection with Nautan P.S. Case No. 319 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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