

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80771 of 2023

Arising Out of PS. Case No.-244 Year-2023 Thana- NEMDARGANJ District- Nawada

1. Chandradeep Yadav Son Of Late Uma Prasad @ Umesh Yadav R/O Village- Nandlal Bigha, P.S.- Nemdarganj, District- Nawada
2. Sudhir Yadav @ Sudhir Kumar Son Of Kuleshwar Yadav R/O Village- Nandlal Bigha, P.S.- Nemdarganj, District- Nawada
3. Guddu Yadav @ Shrawan Kumar Son Of Kuleshwar Yadav R/O Village- Nandlal Bigha, P.S.- Nemdarganj, District- Nawada
4. Sunil Yadav @ Sumit Kumar Son Of Ramrup Yadav R/O Village- Nandlal Bigha, P.S.- Nemdarganj, District- Nawada
5. Anandi Yadav @ Anandi Prasad Son Of Late Uma Yadav @ Uma Prasad @ Umesh Yadav R/O Village- Nandlal Bigha, P.S.- Nemdarganj, District- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioners and

learned APP for the State.

2. Learned counsel for the petitioners seeks
permission to withdraw this application as against the petitioner
no.4, as he has already been arrested by the police, during
pendency of this application.

3. Permission is granted.

4. Accordingly, the instant application as against
the petitioner no.4 is dismissed as withdrawn.

5. Now, this application is being heard for



consideration of anticipatory bail as against the petitioner no.1, 2 & 3 only.

6. Heard learned counsel for the rest of the petitioners and learned APP for the State.

7. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 30(a), 30(d) and 41 of the Indian Penal Code pending in the learned court below.

8. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 30 liters of country made liquor, some utensils and 1500 litres of java mahua was destroyed by the police. He submits that allegation against the petitioner is that he along with other co-accused managed to run away from the place of occurrence. He submits that there is no recovery made from the conscious possession of the petitioner. He further submits that petitioner no.1 has got two criminal antecedents, petitioner no.2 has got two criminal antecedents and petitioner no.2 has got two criminal antecedents as stated in para-3 of the bail application.

9. Per contra, learned APP for the State vehemently



opposing the bail application and submits that petitioners are members of the syndicate who are involved in the manufacturing of the illicit liquor. Hence, they do not deserve anticipatory bail.

10. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner nos.1, 2 & 3 on bail in connection with Nemdarganj P.S. Case No. 244 of 2023. Accordingly, their prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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