

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8776 of 2024

Arising Out of PS. Case No.-424 Year-2023 Thana- GOGRI District- Khagaria

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1. Lalo Yadav @ Lalu Yadav Son of Bhushan Yadav Resident of Village-Pariyagi, P.S.-Gogri(Poura), Distt.-Khagaria
 2. Bindeshwari Yadav Son of Kishun Yadav Resident of Village-Pariyagi, P.S.-Gogri(Poura), Distt.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmatma Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 27-02-2024 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, 2022.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

4. Allegation is of recovery of 13 litres of liquor from a Basa near Basbitti.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession nor the Basa belongs to the petitioners. It is further submitted that petitioners came to



be implicated by the local villagers but then the name of the person who disclosed the name of the petitioners is not disclosed in the FIR which casts an asperson on the case of the prosecution when petitioners admittedly are a person with clean antecedent.

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.500/- (Rupees Five Hundred) 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 Gogri (Poura) P.S. Case No. 424 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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