

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17378 of 2024

Arising Out of PS. Case No.-845 Year-2023 Thana- FATEHPUR District- Gaya

-
1. MUNNA YADAV @ MUNNA KUMAR S/O INDERDEV YADAV R/O VILLAGE- KOREYA, P.S- FATEHPUR, DISTT.- GAYA.
 2. NITISH KUMAR S/O KULDEEP YADAV R/O VILLAGE- KOREYA, P.S- FATEHPUR, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-03-2024 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 offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 200 liters of liquor from a bush.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the



petitioners and is accessible to public at large and they came to be implicated at the instance of *Chowkidar* with whom they are on an inimical term. It is next submitted that in 90% of the cases the police is implicating persons with clean antecedent through the *Chowkidar*.

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 Fatehpur P.S. Case No. 845 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

