

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14454 of 2024

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

1. SANTOSH YADAV S/O INDERDEO YADAV
2. ASHISH YADAV @ ASHISH KUMAR S/O JAI PRAKASH YADAV
BOTH 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, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-03-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2022.

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

4. It is next submitted that petitioners were not
arrested from the spot as such nothing was recovered from their
conscious possession and even alleged recovery is from a place
which is accessible to public at large and does not belong to the
petitioners and they came to be implicated at the instance of



‘Chowkidar’ with whom they are on an inimical term. It is next submitted that it appears that the *Chowkidar* in order to save the real culprits falsely implicated the petitioners, when petitioners admittedly are person with clean antecedent.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.4, Gaya in connection with Fatehpur P.S. Case No.845 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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

