

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13224 of 2024

Arising Out of PS. Case No.-508 Year-2023 Thana- PAHARPUR District- East Champaran

1. Nagendra Yadav@ Nagendra Kumar, Son Of Ramdeni Yadav Resident Of Village- Majhariya, Ward No. 11, Ps- Malahi, Dist- East Champaran
2. Vayash Yadav @ Jitendra Yadav, Son Of Bharat Yadav Resident Of Village- Majhariya, Ward No. 11, Ps- Malahi, Dist- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the I.P.C. and Section 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case and petitioner no.2 is a person with clean antecedent and the allegation is of recovery of 120.960 litres of liquor from a place near Narayani river.

4. The learned counsel for the petitioners submits 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 petitioner and they came to be implicated at the instance of Chaukidar with whom they are on an inimical term.

5. Learned A.P.P. opposes the 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 their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.1, East Champaran, Motihari in connection with Paharpur (Malahi) P. S. Case No.508 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)

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