

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15547 of 2024

Arising Out of PS. Case No.-347 Year-2023 Thana- SALAKHUA District- Saharsa

1. Awadhesh Kumar Yadav @ Awadhesh Kumar Son of Jitendra Yadav
Resident of Village- Kopariya, P.S.- Salkhua, District- Saharsa
2. Bablu Kumar @ Babloo Kumar @ Bhakul @ Bhakul Yadav Son of Jawahar
Yadav Resident of Village- Kopariya, P.S.- Salkhua, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-03-2024 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 40 litres of liquor along with raw materials and
utensils for manufacturing liquor from side of Khagma river.

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 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 also submitted that it appears that the Chowkidar, in order to save the real culprit, falsely implicated the petitioners, when petitioners admittedly are persons with clean antecedent.

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. 500/- (Rupees Five Hundred) 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 Salkhua P.S. Case No. 347 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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