

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17352 of 2024

Arising Out of PS. Case No.-23 Year-2023 Thana- YADOPUR District- Gopalganj

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1. Ramesh Sah Gond @ Pradhan Ji S/o Bidhichand Sah @ Vidhichand R/o vill - Chakhani Dubhi Misha, P.s. - Tareya Sujan, Distt. - Kushinagar (U.P.)
 2. Vinod Tiwari S/o Vishwanath Tiwari R/o vill - Karanpatti, P.S. - Tareya Sujan, Distt. - Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Uday Chand Prasad

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 petitioners have antecedent of one case and allegation is of recovery of 238.26 liters of liquor from a tractor.
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 are neither the owner nor the driver of the seized tractor and they came to be



implicated based on the confessional statement of Pramod Sah in police custody which does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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. 5,000/- (Rupees Five 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 Yadopur P.S. Case No. 23 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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