

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23576 of 2024

Arising Out of PS. Case No.-286 Year-2023 Thana- GOPALPUR District- Gopalganj

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1. Omprakash Yadav Son Of Mahendra Yadav R/O-Ratanpura, P.S.-GOPALPUR, Distt.-GOPALGANJ, Bihar
 2. Tuntun Yadav @ Toontun Yadav Son Of Mahendra Yadav R/O-Ratanpura, P.S.-GOPALPUR, Distt.-GOPALGANJ, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-04-2024 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 offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioners submits that petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of three cases and allegation is of recovery of 26.2 litres of liquor from two motorcycles. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the owners of any of the seized vehicles and they came



to be implicated based on confessional statement of Ajit and Sunil in police custody, which does not have any evidentiary value.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.15000/- (Rupees fifteen 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 Gopalpur P.S. Case No.286/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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