

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22519 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- MURLIGANJ District- Madhepura

1. Bambholi Yadav @ Bholi, Son Of Surendra Prfasad Yadav R/O-Dwarka Tola Jeetapur, P.S.-MURLIGANJ, Distt.-MADHEPURA
2. Mukesh Yadav, Son Of Makhan Prasad Yadav R/O-Dwarka Tola Jeetapur, P.S.-MURLIGANJ, Distt.-MADHEPURA

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Ms.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-04-2024 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 Section 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of five cases and petitioner no.2 has antecedent of four cases and the allegation is of recovery of 459 litres of liquor from a place near a Hanuman temple.

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 does not belong to the petitioners and is accessible to public at large and they have been implicated at the instance of the informant. It is next submitted that it appears that the informant in order to save the real culprit falsely implicated the petitioners taking advantage of their antecedents.

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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-V-cum-Special Judge, Excise Act-1, Madhepura in connection with Murliganj P. S. Case No.12 of 2024, 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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