

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20784 of 2024

Arising Out of PS. Case No.-184 Year-2023 Thana- ANDHRAMATH District- Madhubani

1. Raja Yadav @ Raj Narayan Yadav S/o Jibachh Yadav @ Jibachh Prasad Yadav R/o vill - Mahadeva, P.S. - Laukahi, Distt. - Madhubani
2. Shambhu Yadav @ Shambhu Kumar Yadav S/o Kamal Yadav R/o vill - Mahadeva, P.S. - Laukahi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-03-2024 1. Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 2 Shambhu Yadav @ Shambhu Kumar Yadav.
2. Permission is accorded.
3. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 2 is dismissed as withdrawn.
4. Heard learned counsel for the petitioner no. 1 and learned A.P.P. for the State.
5. The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.
6. Learned counsel for the petitioner no. 1 submits that petitioner no. 1 is a person with clean antecedent.
7. Allegation is of recovery of 495 litres of liquor from a



place near the road side.

8. Learned counsel for the petitioner no. 1 submits that petitioner no. 1 was not arrested from the spot, as such, nothing was recovered from his conscious possession and even the alleged recovery is from a place which is accessible to public at large and does not belong to the petitioner no. 1 and he came to be implicated based on secret information which is the easiest way to implicate some one, when petitioner no. 1 admittedly is a person with clean antecedent.

9. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 1.

10. Considering the submissions made by the learned counsel for the petitioner no. 1, the petitioner no. 1 above-named, in the event of his 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Andharamath P.S. Case No. 184 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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