

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36736 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- TILAUTHU District- Rohtas

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1. Sanju Yadav @ Ajay Kumar Yadav, Son of Doma Yadav Resident of Village - Saina, P.S.- Tilauthu, District - Rohtas.
 2. Ramat Yadav @ Ram Nath Yadav, Son of Gobind Yadav Resident of Village - Saina, P.S.- Tilauthu, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-06-2024 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 petitioners are persons with clean antecedent and the allegation is of recovery of 120 litres of liquor from foothills of a hilly area in front of village- Saina.
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 he came to be implicated at the instance of Chaukidar with whom they are on an inimical term.

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 ten weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2-cum- Additional District & Sessions Judge, Rohtas at Sasaram in connection with Tilauthu P. S. Case No.76 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioners shall verify



the criminal antecedent of the petitioner and in the event, if it is found that petitioners have antecedent of even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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