

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39292 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- Panchanpur District- Gaya

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1. Anish Yadav @ Anish Kumar Yadav Son of Kamlesh Yadav Resident of Village- Malsari, P.S.-Panchanpur, District- Gaya
 2. Subodh Yadav Son of Radhey Yadav Resident of Village- Malsari, P.S.-Panchanpur, District- Gaya
 3. Bigan Yadav @ Bigan Kumar Yadav Son of Late Brahmdeo Yadav Resident of Village- Malsari, P.S.-Panchanpur, District- Gaya
 4. Bhunnu Yadav @ Tunu @ Arvind Kumar Son of Jagdish Yadav Resident of Village- Malsari, P.S.-Panchanpur, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-06-2024 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 the petitioners are person with clean antecedent and allegation is of recovery of 40 litres of liquor along with 4,000 litres of jawa Mahua from forest area.
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 even alleged recovery is from a place which is accessible to public at large and does not belong to the petitioners and they came to be implicated based on secret information which is the easiest way to implicate someone. It is next submitted that it appears that the police, in order to save the real culprit, falsely implicated the petitioners, when petitioners admittedly are persons with clean antecedent.

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

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. 500/- (Rupees Five Hundred) 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 Panchanpur P.S. Case No. 13 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before



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

(Satyavrat Verma, J)

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