

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43904 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- PALASI District- Araria

1. Dilip Yadav @ Dilip Kumar Yadav Son of Shyam Lal Vishwas Resident of Village - Pothiya Ward No.- 5, P.S.- Palasi, District - Araria
2. Babloo Yadav @ Babloo Kumar Son of Shyam Lal Vishwas Resident of Village - Pothiya Ward No.- 5, P.S.- Palasi, District - Araria
3. Chandan Vishwas @ Chandan Kumar Yadav Son of Shyam Lal Vishwas Resident of Village - Pothiya Ward No.- 5, P.S.- Palasi, District - Araria
4. Nilam Devi Wife of Gaya Nand Vishwas @ Gaya Nand Yadav @ Gaya Nand Kumar Yadav Resident of Village - Pothiya Ward No.- 5, P.S.- Palasi, District - Araria
5. Maheshwari Devi Wife of Shyam Lal Vishwas Resident of Village - Pothiya Ward No.- 5, P.S.- Palasi, District - Araria
6. Shyam Lal Vishwas Son of Late Nevi Lal Vishwas Resident of Village - Pothiya Ward No.- 5, P.S.- Palasi, District - Araria
7. Gaya Nand Yadav @ Gaya Nand Vishwas @ Gaya Nand Kumar Yadav Son of Late Nevi Lal Vishwas Resident of Village - Pothiya Ward No.- 5, P.S.- Palasi, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 11-07-2024 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 Sections 341, 323, 353 of the I.P.C. and Sections 30(a) and 45 of the Excise Act.



3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner nos.4 and 5 are women and allegation is of recovery of 19 litres of liquor from a motorcycle.

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 are not the owner of seized vehicle and they 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 six weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-cum- Special Judge, Excise-II, Araria in connection with Palasi P. S. Case No.75 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 petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has 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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