

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54464 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- SALAKHUA District- Saharsa

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1. Sarad Yadav Son of Satto @ Satyanarayan Pd. Yadav Resident of Village and P.O.- Goshpur, P.S.- Salakhua, District - Saharsa.
 2. Rabben @ Ravindra Yadav @ Rabben Yadav Son of Somen Yadav Resident of Village and P.O.- Goshpur, P.S.- Salakhua, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijaya Laxmi Srivastawa
For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-08-2024 1. Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Salakhua Police Station Case No. 81 of 2024, disclosing offences under Sections 30(a), 30(c) of the Bihar Prohibition and Excise Act, 2016.

3. As per the First Information Report, the police got the information on 14.03.2024 that the petitioners along with other accused persons were indulged in manufacturing illicit country made liquor, proceeded towards the place of occurrence and recovered 95 liters of illicit liquor near the pond at Jalari Bahiyar. The police also recovered utensils and other materials used in manufacturing liquor, however, the petitioners and others succeeded in fleeing away.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case on



the basis of secret information. The illicit liquor has not been recovered from the conscious possession and or premises belonging to the petitioners. Co-accused Munna Yadav has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 45187 of 2024, dated 12.07.2024.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that similarly situated accused person has been granted anticipatory bail in Cr. Misc. No. 45187 of 2024, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise), Saharsa, in connection with Salakhua Police Station Case No. 81 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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