

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68058 of 2024

Arising Out of PS. Case No.-279 Year-2024 Thana- PHULPARAS District- Madhubani

1. Jitendra Kumar @ Jitendra Yadav S/O Mahavir Yadav Resident of Village- Inarwa, Police Station- Phulparas, District- Madhubani.
2. Sujit Kumar Yadav @ Sujit Yadav S/O Durganand Yadav Resident of Village- Inarwa, Police Station- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-09-2024 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 antecedent of two cases and allegation is of recovery of 180 litres of liquor from a husk house near Jageshwar Asthan.

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 does not belong to the petitioners and is accessible to public at large and they came to be implicated based on



secret information which is the easiest way to implicate someone, when admittedly the husk house does not belong to the petitioners.

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. 10,000/- (Rupees Ten Thousand) 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 Phulparas P.S. Case No. 279 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 more than two antecedent, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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