

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49831 of 2023**

Arising Out of PS. Case No.-73 Year-2023 Thana- KISHANPUR District- Supaul

1. Surendra Yadav @ Sunil Yadav Son Of Buchai Yadav Resident Of Village- Quotapatti (RASUAR), Ps- Supaul Nadi, Dist- Supaul
2. Sunder Kumar Yadav Son Of Bhutai Yadav Resident Of Village- Quotapatti (RASUAR), Ps- Supaul Nadi, Dist- Supaul
3. Kailu Yadav @ Kunder Kant@ Kunwar Kant Son Of Rajdhar Yadav Resident Of Village- Gangasihaul, Ps- Marauna, Dist- Supaul

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      23-08-2023                      Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30a and other allied sections of the Bihar Prohibition and Excise Act and sections 420, 467, 468, 471, 120B of the Indian Penal Code.

3. Prosecution case is that 1637 liters foreign liquor was recovered from the bus.

4. Learned counsel appearing for the petitioners submits that no incriminating article has been recovered from the conscious possession of the petitioners. Petitioners are neither owner nor driver of the vehicle in question. Petitioners claim clean antecedent.

5. Considering the facts of the case, this pre-arrest bail petition is allowed. In the event of arrest/surrender within six weeks from today, let all these petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten



thousand) each with two sureties of the like amount each to the satisfaction of the Exclusive Special Judge Excise Court no. I, Supaul in ST. Excise case no. 365 of 2023/Kishanpur Police Station Case No. 73 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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