

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52136 of 2023**

Arising Out of PS. Case No.-271 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

-
1. Randhir Yadav @ Randhir Kumar Son Of Hukumdev Yadav Village-
Chandanpatti Ps- Sadar Dist- Darbhanga
 2. Sujit Yadav @ Sujit Kumar Son Of Arun Yadav Village- Chandanpatti Ps-
Sadar Dist- Darbhanga
 3. Mahadev Yadav @ Mahadev Kumar Son Of Shambhu Yadav Village-
Chandanpatti Ps- Sadar Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 19-08-2023 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 Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 450 liters of Nepali liquor is said to have recovered from the place of occurrence. He submits that the illicit liquor has been recovered from the maize field of



Md. Allauddin and nothing has been recovered from the possession of these petitioners. The petitioners have no criminal antecedent as stated in para-3 of the bail application.

4. Petitioners are agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) **each** in Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sadar P.S. Case No.271 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(1) That one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to



who he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

6. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

