

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60519 of 2023**

Arising Out of PS. Case No.-97 Year-2023 Thana- NADI P.S. District- Patna

1. Abhishek Kumar @ Abhishek Yadav Son Of Rameshwar Ray Resident Of Village- Jethuli, Ps- Nadi, Distt- Patna
2. Akhilesh Kumar Son Of Kishu Rai Resident Of Village- Jethuli, Ps- Nadi, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      11-10-2023                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with P.T.N. No. 812 of 2023 arising out of Nadi P.S. Case No. 97 of 2023 instituted under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 865.59 litres of illicit foreign liquor was recovered from pickup vehicle.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to village politics. There is no recovery from the conscious possession of the petitioners and the petitioners have no relation



either with the seized liquor or with the alleged recovered pickup vehicle. Petitioner No. 1 has one criminal antecedent however criminal antecedent of Petitioner No. 2 is clean.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Judge, Excise, Patnacity in connection with P.T.N. No. 812 of 2023 arising out of Nadi P.S. Case No. 97 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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