

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64403 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- LAUKAHA District- Madhubani

1. RAKESH KUMAR YADAV Son of Shiv Narayan Yadav VILLAGE MANSAPUR, P.S. LALMANIYA O.P. DISTRICT MADHUBANI
2. Jai Narayan Yadav Son of Late Ramdeo Yadav VILLAGE MANSAPUR, P.S. LALMANIYA O.P. DISTRICT MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Laukaha (Lalmaniya) P.S. Case No. 113 of 2023 dated
10.05.2023, instituted for the offence punishable under Sections
272 and 273 of the Indian Penal Code and Section 30(a) of the
Bihar Excise (Prohibition) Amendment Act, 2016.

3. Allegation is recovery of 423 litres Nepali country
made wine from back side of the house of the petitioners.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have been falsely implicated in this
case. It is further submitted that nothing has been recovered



from the conscious possession of the petitioners. Petitioners have no concern with the said seized wine as place of recovery of the said wine is from open place. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Laukaha (Lalmaniya) P.S. Case No. 113 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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