

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71164 of 2023

Arising Out of PS. Case No.-343 Year-2023 Thana- RAJGIR District- Nalanda

1. DHARMENDRA YADAV @ DHARMENDRA KUMAR SON OF RAMESHWAR YADAV R/O VILLAGE- THAKUR ASTHAN, P.S.- RAJGIR, DIST.- NALANDA
2. RAJEEV YADAV @ RAJEEV KUMAR SON OF RAMESHWAR YADAV R/O VILLAGE- THAKUR ASTHAN, P.S.- RAJGIR, DIST.- NALANDA
3. UCHIT YADAV SON OF SATYENDRA YADAV R/O VILLAGE- THAKUR ASTHAN, P.S.- RAJGIR, DIST.- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-11-2023
1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Rajgir Police Station Case No. 343 of 2023, disclosing offences punishable under Sections 30(a)/30(c) of the Bihar Prohibition and Excise Act, 2016.
 3. The prosecution case, as per the First Information Report, is that the police got secret information that some persons were manufacturing illicit country-made liquor in a forest situated near the ordanance factory, proceeded towards the place of occurrence and upon seeing the police party,



the accused persons, including the petitioners, succeeded in fleeing away. Upon search, the police recovered 13 litres of illicit country-made liquor as well as 3500 litres of fermented jaggery.

4. Learned Counsel for the petitioner submits that the petitioners are having no criminal antecedent. He further submits that illicit liquor has not been recovered from their conscious possession and/or premises belonging to them. He further submits that the petitioners have been implicated in this case by the police on the basis of disclosure of their names by the spy and there is no material to connect the petitioners with the present offence.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioners are having no criminal antecedent and illicit liquor has not been recovered from the conscious possession of the petitioners and/or premises belonging to them, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their



arrest or surrender before the Court below within a period of four weeks from today, 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 learned Exclusive Special Excise Court No. II, Nalanda, in connection with Rajgir Police Station Case No. 343 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

