

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45262 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- NARHATT District- Nawada

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1. Hari Kumar S/O Dwarika Yadav Resident Of Village- Bandachak, P.S.- Narhat, District-Nawada.
 2. Vikash Kumar @ Rajesh Kumar S/O Rambaran Yadav Resident Of Village- Bandachak, P.S.- Narhat, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate
For the Opposite Party/s : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Narhat P.S. Case No. 126 of 2024, instituted under Sections 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, 25 litres country made Mahua liquor has been recovered from an open field of village Manikpura Sariya. It is alleged that the said liquor was thrown by the petitioners, who managed to flee away from the spot. The co-villagers disclosed the name of the petitioners.

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



conscious possession of the petitioners but on the basis of suspicion and disclosure made by the villagers name of the petitioners has been surfaced in this case. Recovery has been made from the open field which is accessible to all persons and which does not belong to the petitioners. Petitioners have no criminal antecedents. They undertake to co-operate in the investigation.

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

6. Considering the facts and circumstances of the case and submission 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 each to the satisfaction of learned concerned Court where the case is pending in connection with Narhat P.S. Case No. 126 of 2024, 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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