

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43845 of 2024

Arising Out of PS. Case No.-525 Year-2021 Thana- MASAUDHI District- Patna

1. Akhilesh Kumar Son Of Sitab Yadav Village- Badroi, P.S.- Masaurhi, Distt.- Patna
2. Kariman Yadav Son Of Motilal Yadav Village- Badroi, P.S.- Masaurhi, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Prasad, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Masaurhi P.S. Case No. 525 of 2021 dated 30.09.2021 instituted for the offence punishable under Section 30(a), 30(c) of Bihar Prohibition Act, 2018.

3. Allegation is recovery of total 30 litres illicit country made *mahua* liquor from Badroi Chilka Dam.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that only on the basis of confessional statement of co-accused, namely, Ram Uday



Yadav, the petitioner has been made accused in this case. Nothing has been recovered from the conscious possession of the petitioner or from his house. Learned counsel for the petitioner further submits that the petitioner has no concern with the seized articles. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory 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 within a period of six weeks from today, in connection with Masaurhi P.S. Case No. 525 of 2021, they will 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 Special Judge, Excise-III, Patna subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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