

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51292 of 2024

Arising Out of PS. Case No.-22 Year-2022 Thana- MASAUDHI District- Patna

1. Haresh Yadav @ Hareshwar Yadav @ Harish Yadav Son Of Munarik Yadav Village- Sukathiyan, Ps- Masaurhi, Dist- Patna
2. Rudal Yadav Son Of Hareshwar Yadav Village- Sukathiyan, Ps- Masaurhi, Dist- Patna
3. Suman Yadav @ Suman Kumar Son Of Hareshwar Yadav Village- Sukathiyan, Ps- Masaurhi, Dist- Patna
4. Jeevlal Yadav Son Of Late Lal Bahadur Yadav Village- Sukathiyan, Ps- Masaurhi, Dist- Patna
5. Sandeep Paswan Son Of Dukhu Paswan Village- Sukathiyan, Ps- Masaurhi, Dist- 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. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners apprehend their arrest in connection with Masaurhi P.S. Case No. 22 of 2022 registered for the offences punishable under Sections 30(a), 30(c) & 41(i) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has recovered altogether 500 liter illegal Mahua liquor from one Bolero Pickup Van.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Petitioner bears one criminal antecedent. Name of the petitioner has surfaced in this case during course of investigation, on the basis of secret information. It is submitted that there is no compliance of Section 100 of the Cr.P.C. It is lastly submitted that co-accused has been granted regular bail by this Court *vide* order dated 17-02-2024, passed in Cr. Misc. No. 8671 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Masaurhi



P.S. Case No. 22 of 2022, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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