

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63663 of 2024**

Arising Out of PS. Case No.-35 Year-2024 Thana- SALAIYA District- Aurangabad

1. Ranjay Yadav Son of Sadhusharan Yadav R/o Village- Gajraj Bigha, P.S.- Salaiya, District- Aurangabad (Bihar)
2. Nitish Kumar Son of Shivnandan Yadav R/o Village- Gajraj Bigha, P.S.- Salaiya, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-09-2024 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The petitioners apprehend their arrest in connection
with Salaiya P.S. Case No. 35 of 2024 registered under Section
30(a) of Bihar Excise Act.

3. As per prosecution case, 50 liters illicit liquor has been
recovered from Chalho Hathiyawa Hill.

4. Learned counsel appearing on behalf of the petitioners
submits that petitioners are innocent and have falsely been
implicated in the present case merely on suspicion. Further
submission is that the recovery of illicit liquor has been made
from an open place. Nothing has been recovered from the



conscious possession of the petitioners.

5. Learned A.P.P. appearing on behalf of the State opposed the prayer for bail of the petitioner no. 2 and submits that petitioner no. 2 has got criminal antecedents of similar nature.

6. Consider the fact that petitioner no. 2, namely, Nitish Kumar has got two criminal antecedents of similar nature, his prayer for bail is rejected.

7. So far as petitioner no. 1 is concerned, he has got one criminal antecedent of similar nature, in which he is on bail, let **petitioner no. 1, namely, Ranjay Yadav**, be released on bail in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, Aurangabad in connection with Salaiya P.S. Case No. 35 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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