

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62891 of 2024

Arising Out of PS. Case No.-176 Year-2024 Thana- THALI District- Nawada

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1. Ranjit Ram Son of Indradeo Ram Resident of Village -Belaura, P.S.- Thali, District -Nawada
 2. Subodh Yadav son of Late Baleshwar Yadav village- Bhawanpur, Ps- Thali, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 274, 275 of the Bharatiya Nyaya Sanhita and Section 30(a)(c)(d) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 70 litres illicit liquor and 4000 liters Mahua *ghol* have been recovered near the pond.

4. Learned counsel for the petitioner submits that no incriminating material has been recovered from conscious possession of petitioners and they have been made accused only on suspicion. Petitioner No. 2 claims clean antecedent.



5. Learned A.P.P. for the State vehemently opposed the bail application and submits that petitioner No. 1 has got two criminal antecedents of similar nature.

6. Considering the criminal antecedent of similar nature, the **anticipatory bail with regard to petitioner No. 1, namely, Ranjit Ram is rejected.**

7. However, considering the nature of accusation and clean antecedent, **anticipatory bail with regard to petitioner No. 2, namely, Subodh Yadav is allowed** and it is ordered that let the above named petitioner No. 2 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court-1, Nawada in connection with Thali P. S. Case No. 176 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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