

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66492 of 2024

Arising Out of PS. Case No.-147 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

1. Sanjay Yadav Son of Mahadev Yadav Resident of Village- Bandi Tola, Kalayanpur, P.S. Neemchak Bathani, District- Gaya
2. Sudhanshu Kumar Son of Sanjay Yadav Resident of Village- Bandi Tola, Kalayanpur, P.S. Neemchak Bathani, District- Gaya
3. Himanshu Kumar Son of Sanjay Yadav Resident of Village- Bandi Tola, Kalayanpur, P.S. Neemchak Bathani, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend arrest in connection with
Neemchak Bathani P.S. Case No. 147 of 2024 registered under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 133.380
liters foreign liquor was recovered from field of mustard.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioners. The petitioners have



got no knowledge and concern with the alleged recovery of liquor. The petitioner Nos. 2 & 3 have got no criminal antecedent, while petitioner No. 1 bears one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioners above named in the event of arrest/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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Neemchak Bathani P.S. Case No. 147 of 2024 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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