

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71841 of 2024

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

Akhalesh Kumar @ Akalesh Kumar, son of Chandradeep Yadav, R/o village-
Badroi, P.S.-Masaurhi, New P.S.-Lahsuna, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Masaurhi P.S. Case No. 525 of 2021 and Special Case No. 6209 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 of recovery of total 30 litres illicit country made *mahua* liquor from Badroi Chilka Dam.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is 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 either from the conscious possession of the petitioner



or from his house. It is further submitted that similarly situated persons, namely, Akhilesh Kumar and Kariman Yadav have been granted anticipatory bail *vide* Criminal Miscellaneous No. 43845 of 2024 by this Court. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

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 petitioner within a period of six weeks from today, in connection with Masaurhi P.S. Case No. 525 of 2021 and Special Case No. 6209 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 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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