

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74158 of 2024**

Arising Out of PS. Case No.-86 Year-2024 Thana- MAHESHKHUNT District- Khagaria

1. Sohan Yadav S/o Bhim Yadav Resident of Vidyarthi Tola, Pakrail Ward No.12, P.S. - Maheshkhunt, Distt. - Khagaria
2. Nitish Yadav @ Nitish Kumar S/o Vyas Yadav Resident of Vidyarthi Tola, Pakrail Ward No.12, P.S. - Maheshkhunt, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhim Kumar Yadav, Advocate  
For the Opposite Party/s : Mr.Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      12-11-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Maheshkhunt P.S. Case no. 86 of 2024 registered under section 30(a), (b) and (c) of Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that having received information that liquor was being manufactured, a raid was conducted. While 15 liters of country liquor was recovered, the accused persons managed to escape. The petitioners were identified by the *Chaukidar* as the accused who had escaped.

4. Learned counsel for the petitioner submits that the petitioners have been falsely implicated in the case on account



of enmity between the parties. Neither any incriminating article has been recovered from the petitioners’ possession nor have the petitioners any concern with the seized article or the place from which the alleged seizure is said to have taken place. The petitioners have no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the F.I.R., the alleged place of manufacture and seizure of liquor being in front of the outhouse of the petitioners and especially the petitioners not having any criminal antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Maheshkhunt P.S. Case no. 86 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Khagaria.

**(Partha Sarthy, J)**

Harsh/-

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