

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75881 of 2024

Arising Out of PS. Case No.-59 Year-2021 Thana- PHULPARAS District- Madhubani

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1. Vimlesh Yadav @ Vimal Kumar Yadav @ Bimal Kumar S/o- Mani Lal Yadav @ Mani Yadav Village- Rautiniya, P.S. Phulparas, District-Madhubani
 2. Amlesh Yadav @ Amlesh Kumar Yadav S/o- Mani Lal Yadav @ Mani Yadav Village- Rautiniya, P.S. Phulparas, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 25-10-2024 Heard Mr. Jitendra Kumar Bharti, learned counsel
for the petitioners and Mrs. Renu Kumari, learned APP for the
State.

2. The petitioners apprehend their arrest in connection
with Phulparas P.S. Case No. 59 of 2021, G.R. No. 163 of 2021
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. Prosecution story, in short, is that altogether
1187.625 litres of illicit foreign liquor has been recovered from
the field of Shambhu Yadav @ Bhulla Yadav.



4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioners. Petitioners have no concern with the alleged recovery. Learned counsel further submitted that the recovery has been made from the fields of Shambhu Yadav @ Bhulla Yadav. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted regular bail by this Bench vide order dated 23.02.2024 passed in Cr. Misc. No. 11633 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulparas P.S. Case No. 59 of 2021, G.R. No. 163 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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