

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76249 of 2024**

Arising Out of PS. Case No.-303 Year-2021 Thana- BAKHTIYARPUR District- Patna

1. Navin Yadav @ Navin Son of Late Dukhan Yadav Resident of village - Misi, Harizan Tola, Police Station - Bakhtiyarpur, Dist- Patna
2. Mithilesh Yadav son of Judagi Yadav Resident of village - Misi, Harizan Tola, Police Station - Bakhtiyarpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Ms. Sangeeta Sharma, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      18-11-2024      Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Altogether 10 litres of country made liquor has been recovered from the place of occurrence. Seeing the police, the petitioners are said to have fled away from the spot.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the physical possession of the petitioners or from their house. They have no concern either with the seized liquor or the place of



recovery or any trade of liquor. The allegation levelled against the petitioners are totally false and based on concocted facts. They were not apprehended on the spot. Their names have been transpired in the present case merely on the basis of identification made by local *Chowkidar*. Learned counsel further submits that the petitioners have two criminal antecedents of similar nature of offence that of the present case.

5. Petitioners are agreed to deposit a sum of Rs. 15,000.00 (Rupees Fifteen Thousand) each in account of Mahavir Cancer Sansthan, Patna bearing Account No. 3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Bakhtiyarpur P.S. Case No.303 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) That one of the bailors will be a close relative of the



petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bonds of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Mahavir Cancer Sansthan, Patna.

**(Anjani Kumar Sharan, J)**

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