

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78945 of 2024

Arising Out of PS. Case No.-476 Year-2024 Thana- CHANDI District- Nalanda

-
1. Arvind Yadav, S/O Tuna yadav, Resident of Village- Salepur, Police Station- Chandi, District- Nalanda
 2. Golu Kumar @ Amrjeet Kumar, S/O Arvind Yadav, Resident of Village- Salepur, Police Station- Chandi, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioners and Mr. Kumar Ranjit Ranjan, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Chandi P.S. Case No. 476 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. The case of the prosecution is that altogether 10.5 liters of foreign liquor was recovered from the roof of the petitioners. Petitioners were not apprehended from the place of occurrence.

4. Learned counsel appearing on behalf of the



petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have no concerned with the alleged recovery. From perusal of the seizure list, it transpires that the seizure was made from the half constructed roof of Arvind Yadav (Petitioner no. 1). There is no independent witness of the seizure list. From perusal of the petition of the petitioners, it transpires that the five cases in which petitioner no. 1 is implicated are of different nature and are not that of excise and as per order of the trial court, petitioner no.2 has clean antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Chandi P.S. Case No. 476 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-V-cum-Special Judge Excise-I,



Biharshaif, Nalanda, subject to the conditions as laid down
under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

lata/-

U		T	
---	--	---	--

