

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.83321 of 2024

Arising Out of PS. Case No.-437 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Ramesh Yadav, Son of Late Bharat Yadav, Resident of Village- Aasani, P.S.-  
Udawanagar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 84462 of 2024

Arising Out of PS. Case No.-437 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Bhagirath Yadav, S/o Lakhandev Yadav @ Lakhandev Singh R/O Vill.-  
Asni,P.S- Udawanagar,Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with  
CRIMINAL MISCELLANEOUS No. 84557 of 2024

Arising Out of PS. Case No.-437 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Mithlesh Yadav @ Mithlesh Singh, Son of Lakhandev Yadav @ Lakhandev  
Singh, Resident of Village- Asni, P.S.- Udawanagar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**  
(In CRIMINAL MISCELLANEOUS No. 83321 of 2024)  
For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate  
Ms. Priya, Advocate  
For the Opposite Party/s : Ms. Meena Singh, APP  
(In CRIMINAL MISCELLANEOUS No. 84462 of 2024)  
For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate  
Ms. Priya, Advocate  
For the Opposite Party/s : Ms. Gulnar Begum, APP  
(In CRIMINAL MISCELLANEOUS No. 84557 of 2024)  
For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate  
Ms. Priya, Advocate



For the Opposite Party/s : Ms. Gulnar Begum, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      11-12-2024                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Udwanthnagar P.S. Case No.437 of 2024 instituted under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, on the basis of secret information, the Police team raided on the spot and on search 314 litres of illicit liquor were recovered from the cow shed. It is also alleged that the petitioners fled away from the spot

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case due to village politics. The alleged place where the recovery is made is open space from all sides and easily accessible for any person. The petitioners were not present at the spot and there is no recovery from the conscious possession of the petitioners. The petitioner Bhagirath Yadav has no criminal antecedent whereas petitioners, namely, Ramesh Yadav and Mithlesh Yadav @ Mithlesh Singh have three and one criminal antecedents, respectively in which they are on bail and they undertake to co-operate in the investigation.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Judge Excise Court No.II, Bhojpur at Ara / Concerned Court in connection with Udwantnagar P.S. Case No.437 of 2024, subject to the conditions laid down in Section 482(2) of Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.)-2023.

(Sunil Dutta Mishra, J)

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