

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83697 of 2024

Arising Out of PS. Case No.-173 Year-2024 Thana- EXCISE PAKRIBARAWAN District-
Nawada

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1. Mukesh Kumar Son of Devendra Chauhan R/o- Village- Manjour, P.S.- Warisalignaj, Distt.- Nawada
 2. Vikash Kumar Son of Babulal Chauhan R/o- Village- Manjour, P.S.- Warisalignaj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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

2. The petitioners apprehend arrest in connection with
Excise Pakribarawan P.S. Case No. 173 of 2024 dated
17.09.2024, instituted for the offence punishable under Section
30 (a)/(c) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation is of recovery of 55 litres country
made liquor and 1800 litres Java Mahua semi liquid from bush
situated on the bank of Sakri river near Manjour village.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and they have been falsely implicated in
this case. It is submitted that nothing has been recovered either



from conscious possession of the petitioner or from their house rather the said illicit liquor were recovered from open place. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Excise Pakribarawan P.S. Case No. 173 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-II, Nawada, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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