

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87270 of 2024**

Arising Out of PS. Case No.-722 Year-2024 Thana- ARA NAGAR District- Bhojpur

1. Raja Yadav Son of Shobhnath Yadav Village- Bhaluhipur (Mathiya), P.S- Ara Nagar (Ara Town), District -Bhojpur
2. Pankaj Yadav Son of Late Santoshi Yadav @ Late Santosh Yadav @ Santosh Yadav Village- Bhaluhipur (Mathiya), P.S- Ara Nagar (Ara Town), District -Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. Diwakar, Advocate          |
|                          |   | Ms. Priya Kumari, Advocate     |
| For the Opposite Party/s | : | Mr. Surendra Prasad Singh, APP |

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

2      19-12-2024                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehends their arrest in a case registered for the offences punishable u/s 30 (a) and 37 of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Altogether 120 liters of country made liquor is said to have been recovered near a temple.

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 conscious physical possession of the petitioners. They have no concern either with the seized liquor or any trade of liquor. They



have been falsely implicated in this case at the instance of their enemies. They were not apprehended on the spot and their names transpired in the case only on the basis of statement of local villager. Petitioner no.1 has four criminal antecedents, not in similar nature of offence and petitioner no.2 has eight criminal antecedents, out of which two are in similar nature of offence.

5. Petitioner no.1 is agreed to deposit a sum of Rs.5000.00 (Rupees Five Thousand) and petitioner no.2 is agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, Patna, bearing Account No.7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, 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 Ara Town P.S. Case No.722 of 2024,



subject to the condition as laid down under Section 482 (2) of the BNSS, 2023, with the following conditions:

(i) 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.

(ii) 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 and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the Lawyer's Association Welfare Benevolent Fund, Patna.

**(Anjani Kumar Sharan, J)**

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