

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6680 of 2025

Arising Out of PS. Case No.-2291 Year-2024 Thana- Excise P.S. District- Patna

1. Mithilesh Kumar @ Mithilesh Kumar Yadav @ Mithlesh Kumar Son of Pradeep Yadav Resident of Village- Didarganj, P.S.- Didarganj, Distt.- Patna
2. Nitish Kumar @ Nitesh Kumar Son of Karpuri Yadav Resident of Village- Pitambarpur, P.S.- Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Jay Ram Prasad, Advocate
For the State	:	Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-04-2025 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 30(a), (c), (d), (e), (g), 36, 41, 56 and 58 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, on secret information that in the godown of co-accused Munna Yadav, these two petitioners are manufacturing illicit liquor, a raid was conducted and 7 litres spirit, stickers of Royal Stag, 60 pieces of empty bottles of Royal Stag and other articles for preparation of illicit liquor was recovered.



4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from conscious possession of this petitioner. The alleged recovery has been made from godown of co-accused Munna Yadav and these petitioners have falsely been implicated in this case merely on suspicion. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the nature of accusation, the fact that no incriminating article has been recovered from conscious possession of these petitioners and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-3rd, Patna in connection with Patna Excise (Prohibition) P.S.



Case No. 2291 of 2024, subject to condition as laid down under
Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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