

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4338 of 2025

Arising Out of PS. Case No.-155 Year-2024 Thana- YADOPUR District- Gopalganj

1. Robin Singh Nagendra singh @ Nagen Singh R/O Village - Ahirauli Dan, P.S- Tareya Sujan District - Kushinagar (U.P).
2. Nagendra singh @ Nagen Singh S/O Vishwanath Singh R/O Village - Ahirauli Dan, P.S- Tareya Sujan District - Kushinagar (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 765 litres county made liquor has been recovered from the bank of Gandak river.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of these petitioners and they are not concerned with the alleged recovery. Recovery has been made from an open place which is accessible to one and all.



5. Learned A.P.P. for the State vehemently opposed the bail application and submits that petitioner No. 1 has got one criminal antecedent and petitioner No. 2 has got four criminal antecedents of similar nature.

6. Considering the quantity of recovery and four criminal antecedents of similar nature, prayer for anticipatory bail of petitioner No. 2 is rejected.

7. However, prayer for anticipatory bail of petitioner No. 1 is allowed and it is ordered that let the above named petitioner No. 1 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-XIII-cum-Special Excise Court No. 1, Gopalganj in connection with Jadopur (Yadopur) P. S. Case No. 155 of 2024, subject to condition as laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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