

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7936 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- Excise P.S. District- Nawada

1. Vikash Yadav S/o- Saryu Yadav Village- Jabkala W.No-5, Ps- Rajauli Dist- Nawada
2. Anil Yadav S/o- Laxman Yadav Village- Jabkala W.No-5, Ps- Rajauli Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 30(a)/47 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 210 litres illicit liquor was recovered near the bank of Khuri 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. Petitioners have been made accused only on suspicion. Petitioner No. 2 claims clean criminal antecedent.



5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner No. 1 has got two criminal antecedents of similar nature.

6. Considering the huge quantity of recovery and criminal antecedents of similar nature, prayer of anticipatory bail of petitioner No. 1 is rejected.

7. However, considering nature of accusation and clean antecedent, this anticipatory bail is allowed with regard to petitioner No. 2 and it is ordered that let the above named petitioner No. 2 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 learned Exclusive Special Excise Court-2, Nawada in connection with Excise P. S. Nawada Case No. 398 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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