

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5553 of 2025

Arising Out of PS. Case No.-148 Year-2024 Thana- SRINAGAR District- West Champaran

1. Rajkumar Yadav son of Nandlal Yadav Village - Singahi Masandhab, Surajpur, Ps- Srinagar, Dist- West Champaran At P/A- Village- Bhagwanpur, Ps- Nadi, Dist- Bagaha
2. Uday Yadav Son of Nandlal Yadav Village - Singahi Masandhab, Surajpur, Ps- Srinagar, Dist- West Champaran At P/A- Village- Bhagwanpur, Ps- Nadi, Dist- Bagaha
3. Kishori Yadav Son of Late Kailash Yadav village- Suryapur, Surajpur, Ps- Srinagar, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avinash Raj, Advocate
For the State	:	Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Srinagar P.S. Case No.-148 of 2024, registered for the offences punishable under Sections 303(2) and 317(2) of the B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per allegation, 79.56 litre of illicit liquor has been recovered from the vehicle and co-accused Laldhar Yadav was arrested on the place of occurrence itself.



4. Ld. counsel for the petitioners submits that the Petitioners are innocent and has falsely been implicated in this case. He further submits that the petitioner was not present on the place of occurrence, nor is he involved in the alleged offence, nor is he owner of the vehicle seized in the alleged offence. He further submits that no case is made out against the petitioner and his name has transpired in the confessional statement of co-accused which has no evidentiary value.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner nos. 1 and 2 have no criminal antecedents, whereas petitioner no. 3 has two criminal antecedents.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Exclusive Special Judge, Excise-II, Bettiah, West Champaran, in connection with Srinagar P.S. Case No.- 148 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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