

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9952 of 2025

Arising Out of PS. Case No.-1681 Year-2024 Thana- Excise P.S. District- East Champaran

1. Kamod Yadav @ Kamod Kumar Yadav S/O Late Jaikishun Prasad Resident of village- Shankar Parsauna, P.S- Turkauliya, District- East Champaran
2. Khalipha Yadav @ Sajjan Yadav S/O Late Ramayan Yadav Resident of village- Shankar Saraiya Ahir Tola, P.S- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend arrest in connection with
Excise P.S. Case No. 1681 of 2024 registered under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case in short, is that, total 25 litres
of spirit, 12 kg packet of plastic rapper was recovered from
motorcycle.

4. Learned counsel for the petitioners submit that the
petitioners are innocent and have falsely been implicated in the
present case. It is submitted that motorcycle in question do not
belong to the petitioners. The petitioner no. 1 has eleven



criminal antecedents in which he is on bail and petitioner no. 2 has three criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and submit that the petitioner no. 1 bears eleven criminal antecedents and petitioner no. 2 bears three criminal antecedents. Hence, the petitioners does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and criminal antecedents of the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

7. The prayer is *rejected*. However, the petitioners are directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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