

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10405 of 2025

Arising Out of PS. Case No.-319 Year-2024 Thana- CHAKAND District- Gaya

1. Santan Yadav @ Santosh Kumar @ Santan Kumar Son of Late Mahendra Yadav Resident of Village - Tineri, P.S. - Chakand, District - Gaya
2. Shailesh Yadav @ Shailesh Kumar @ Shailendra Yadav Son of Ram Pravesh Yadav @ Raw Pravesh Yadav Resident of Village - Tineri, P.S. - Chakand, District - Gaya
3. Pawan Kumar @ Pawan Chaudhary @ Vidhayak Chaudhary Son of Gauri Shankar Chaudhary @ Gauri Chaudhary Resident of Village - Channa Chamandi, P.S. - Chandauti, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

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

ORAL ORDER

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

2. The petitioners apprehend their arrest in connection with Chakand P.S. Case No. 319 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 270 liters of country made liquor was recovered from three motorcycles.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence as



alleged against him and has falsely been implicated in the present case. Petitioners have no knowledge and concern with the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioners. It is submitted that motorcycles in question do not belong to the petitioners. It is further submitted that the name of the petitioners have transpired on the basis of confessional statement of apprehended co-accused person namely Rajnandan Kumar. The petitioners have got no any criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail passed by this Court *vide* order dated 16.01.2025 in Cr. Misc. No. 90005 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending/successor court in connection with Chakand
P.S. Case No. 319 of 2024, subject to the conditions as laid
down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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