

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9052 of 2025

Arising Out of PS. Case No.-263 Year-2024 Thana- CHAKAND District- Gaya

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1. Ramdahin Yadav S/o- Late Durga Yadav Village - Dali Bigha, P.s.- Belaganj, District - Gaya
 2. Rajballabh Yadav @ Rajballabh Kumar S/o- Ramdahin Yadav Village - Dali Bigha, P.s.- Belaganj, District - Gaya
 3. Surendra Yadav S/o- Late Durga Yadav Village - Dali Bigha, P.s.- Belaganj, District - Gaya

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Durgesh Nandan, Advocate
For the State	:	Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Chakand PS. Case No.263 of 2024, Dated-30.09.2024, registered for the offences punishable under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, there is recovery of 400 litre of illicit liquor and instrument for manufacturing liquor from the house of the co-accused, Nanhku Yadav and as per the secret



information, the petitioner and other co-accused were also involved in manufacturing and selling of illicit liquor.

4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as a matter of fact, no recovery of any contraband has been made from the personal possession or from the house of the petitioners. As a matter of fact, illicit liquor has been recovered from the house of the co-accused, Nanhku Yadav and they are no way involved in the alleged offence and the whole case is based on suspicion and there is no cogent material available against the petitioner.

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, 2 and 3 have been made accused in three, one and five other cases respectively.

7. learned APP for the State vehemently opposes the prayer of the Petitioner 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 learned concerned Court Below, in connection with Chakand P.S. Case No.263 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 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 other than the disclosed one, learned 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, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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