

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9817 of 2025

Arising Out of PS. Case No.-466 Year-2024 Thana- SUGAULI District- East Champaran

1. Santosh Yadav S/o- Hira Yadav R/o- Mor Tolla Ps- Majhauilya Dist- West Champaran
2. Kanhaiya Yadav S/o- Hira Yadav R/o- Mor Tolla Ps- Majhauilya Dist- West Champaran
3. Murari Yadav S/o- Jagi Yadav R/o- Mor Tolla Ps- Majhauilya Dist- West Champaran
4. Birendra Sahni S/o- Motilal Sahni Village- Chiljhaptti Ps- Sugauli Dist- East Champaran
5. Jaglal Sahni S/o- Motilal Sahni Village- Chiljhaptti Ps- Sugauli Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, 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 Sugauli P.S. Case No. 466 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 100 litres of illicit country made liquor was recovered from bank of Sikhrahana river and 2000 litres of semi-prepared liquor which was destroyed.



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 recovery is made from an open place, which is accessible to one and all. It is further submitted that local chowkidar disclosed the name of the petitioners. The petitioners have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* order dated 07.01.2025 passed in Cr. Misc. No. 87598 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) 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 Sugauli P.S. Case No. 466 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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