

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13544 of 2025

Arising Out of PS. Case No.-487 Year-2024 Thana- DHAKA District- East Champaran

1. Prabhu Singh Son of Late Jagatlal Singh Resident of Village - Mahuliya Chauki, P.S. - Auraiya, District - Rauthat (Nepal)
2. Karan Kumar Son of Prabhu Singh Resident of Village - Mahuliya Chauki, P.S. - Auraiya, District - Rauthat (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 04-07-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Dhaka P.S. Case No. 487 of 2024 registered for the offences punishable under Sections 317(4), 317(5), 3(5) of the Bhartiya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the police has recovered total 460.5 liters of illicit liquor from the car.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the



present case. The petitioners were neither apprehended on spot nor anything incriminating has been recovered from their conscious possession. The name of the petitioners has surfaced in this case on the basis of the disclosures made by the co-accused Munna Kumar. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioners have no concern with the alleged recovered liquor or the seized vehicle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioners further submits that the co-accused Munna Kumar has been granted regular bail by this Court vide order dated 20.01.2025 passed in Cr. Misc. No. 1210 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their 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 Dhaka P.S. Case No. 487 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S. with further condition that one of the bailors must be the Deponent of the present bail petition, namely, Yogendra Rai.

(Rudra Prakash Mishra, J)

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