

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14031 of 2025

Arising Out of PS. Case No.-814 Year-2024 Thana- FATEHPUR District- Gaya

1. Rajesh Yadav @ Rajesh @ Rajesh Kumar Yadav @ Sunil @ Sunil Kumar S/o- Late Munni Lal @ Late Munnilal Prasad @ Late Munnilal Yadav Village- Basua PS-Fatehpur, Dist- Gaya
2. Nitish Yadav S/o- Janki Yadav Village- Basua PS-Fatehpur, Dist- Gaya
3. Rajesh Yadav @ Kailash Yadav S/o- SARju Yadav Village- Bagai PS-Fatehpur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 28-02-2025 Heard Mr. Sudhir Kumar Sinha, learned counsel for the petitioners and Mr. Choubey Jawahar, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Fatehpur P.S. Case No. 814 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 794.25 litres of liquor was recovered from five 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 seized motorcycles in question do not belong to the petitioners. It is further submitted that the name of the petitioners have transpired on the confessional statement of apprehended co-accused person namely, Binay Kumar. The petitioner no. 1 has one criminal antecedent and petitioner nos. 2 and 3 have two criminal antecedents. 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 15.02.2025 passed in Cr. Misc. No. 7112 of 2025.

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 Fatehpur
P.S. Case No. 814 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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