

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13463 of 2025

Arising Out of PS. Case No.-379 Year-2024 Thana- SISWAN District- Siwan

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1. Kamlesh Yadav @ Kamaldeo Son of Muneshwar Yadav @ Bhuneshwar Yadav Resident of Village- Bhagar, PS- Siswan, Distt.- Siwan
 2. Ravindra Yadav Son of Jagdeo Yadav Resident of Village- Bhagar, PS- Siswan, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehends their arrest in connection with Siswan P.S. Case No. 379 of 2024 lodged on 21.11.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against two named accused persons (present petitioners). Total recovery of 200 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence.



Counsel also submits that nothing has been recovered from the conscious possession of the petitioners. Counsel submits that name of the petitioners have been figured in this case by virtue of the disclosure made by the *chowkidar*. Counsel further submits that petitioners have no criminal antecedent and they have falsely been implicated in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of 2nd Exclusive Special Excise Court, Siwan, in connection with Siswan P.S. Case No. 379 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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