

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14222 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- BIND District- Nalanda

1. Mukesh Yadav, aged about 32 years, Sex-Male, S/O Birsi Yadav, Resident of Village- Madan Chak, P.S.- Bind, District- Nalanda.
2. Laltush Yadav, aged about 40 years, Sex-Male, S/O Birsi Yadav, Resident of Village- Madan Chak, P.S.- Bind, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Manish Kumar No. 13, Advocate
For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Bind P.S. Case No. 12 of 2025 dated 14.01.2025 registered for the offences punishable under Sections 329(4), 351(2) of the B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 31.25 litres of country made liquor is said to have been recovered from the Dalan of one Bijendra Yadav who informed the police that the petitioners and the co-accused person after threatening him entered his Dalan and thereafter forcibly packed the illegal



liquor in his Dalan.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the alleged recovery of illegal liquor was made from the Dalan of Bijendra Yadav and no incriminating article has been recovered from the possession of the petitioners. They have no concern with the alleged offence. It is further submitted that Vijendra Yadav is the co-villager of the petitioners and they have inimical terms with the said Vijendra Yadav and due to village politics the names of the petitioners were figured in the present case. There is no statutory compliance of Section 103 of the B.N.S.S. The petitioners have two criminal antecedents and in one case they are on bail and in another case they have been acquitted by the learned trial court as stated in paragraph no. 3 of the bail application. The petitioners are in custody in this case since 15.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioners, be enlarged on bail on furnishing bail bond of Rs.



20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-V-cum-Exclusive Special Judge, Excise Court No.-1, Biharsharif (Nalanda) in connection with Bind P.S. Case No. 12 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

