

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16515 of 2025

Arising Out of PS. Case No.-128 Year-2024 Thana- Gurupa District- Gaya

Nitish Kumar S/o Baidyanath Yadav @ Karu Yadav Resident of Village-
Chodhi, PS- Gurpa, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 16583 of 2025

Arising Out of PS. Case No.-128 Year-2024 Thana- Gurupa District- Gaya

1. Rajesh Yadav @ Kaila Yadav @ Kailash Yadav Son of Saryu Yadav
Resident of Village - Bagai, P.S. - Gurpa, District - Gaya
2. Ramprit Kumar @ Rampati Kumar Son of Dev Lal Yadav Resident of
Village - Bagai, P.S. - Gurpa, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 16515 of 2025)
For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, APP
(In CRIMINAL MISCELLANEOUS No. 16583 of 2025)
For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 02-04-2025 These two bail applications arise out of same P.S.



case being Gurupa P.S. Case no.128 of 2024 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and hence are being taken up together.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Gurupa P.S. Case no.128 of 2024 registered under section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

4. As per the prosecution case, the informant states that on seeing police personnel all the accused left their eight motorcycles and managed to escape. On search, a total of 1400 liters of country made liquor is said to have been recovered from eight motorcycles.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. He further submits that no recovery has been made from the conscious possession of the petitioners and the petitioners have specifically stated in paragraph 8 of their petition that out of the eight motorcycle standing in a forest and the petitioners are neither the owners nor the drivers of any of the motorcycles in



question. The cause of their false implication is their antecedents. He further submits that co-accused Pintu Yadav @ Pintu Kumar has been enlarged on anticipatory bail by this Court vide order dated 26.03.2025 passed in Cr. Misc. no. 11192 of 2025. The petitioners undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the fact that co-accused has been granted anticipatory bail vide aforesaid order dated 26.03.2025, it is directed that all the three petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Gurupa P.S. Case no.128 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 4, Gaya, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(i) They shall co-operate in investigation/trial.

(ii) The learned Court below shall verify the criminal antecedent of the petitioners before releasing them on



bail and if, it is found that the petitioners are involved in any other cases, their bail bond shall not be accepted by the learned Court below.

(Soni Shrivastava, J)

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