

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18307 of 2025

Arising Out of PS. Case No.-184 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Bijen Yadav @ Bijendra Yadav @ Bijendra Prasad Yadav S/O Late Bhaleshwari Yadav @ Bhaleshwari Yadav @ Late Malo Yadav @ Malo Yadav R/O Village- Govindpur (Govindpur), (Govindpur Navtoliya), P.S- Sahebpur Kamal, District- Begusarai.
 2. Devendra Yadav @ Debendra Yadav S/O Late Bhaleshwari Yadav @ Bhaleshwari Yadav @ Late Malo Yadav @ Malo Yadav R/O Village- Govindpur (Govindpur), (Govindpur Navtoliya), P.S- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Sahebpur Kamal P.S. Case No. 184 of 2024 registered for the offences punishable under Sections 30(a), 30(b) and 30(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 120 litres of country made liquor, gas cylinder, gas stove, aluminum was recovered from near the bank of river.

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 recovery is made from an open place, which is accessible to one and all. It is further submitted that local chowkidar disclosed the name of the petitioners. The petitioners have no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted anticipatory bail by this Court *vide* order dated 28.02.2025 passed in Cr. Misc. No. 14581 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 Sahebpur Kamal P.S. Case No. 184 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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