

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16426 of 2025

Arising Out of PS. Case No.-192 Year-2024 Thana- Excise Benipatti District- Madhubani

Dukhi Yadav @ Bikash Yadav S/O Rambrikash Yadav @ Ram Vriksh Yadav
@ Ram Briksha Yadav R/O- Village- Kerwa, P.S.- Saharghat, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection
with Benipatti Excise P.S. Case No. 192 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 180
litres of Nepali liquor was recovered from Motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Petitioner has no knowledge and concern with the alleged
recovery. Nothing incriminating has been recovered from the
possession of the petitioner. It is submitted that motorcycle in



question does not belong to the petitioner. The petitioner has two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court vide orders dated 29.01.2025 and 06.02.2025 passed in Cr. Misc. Nos. 3770 of 2025 and 5308 of 2025 respectively.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner 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) 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 Benipatti Excise P.S. Case No. 192 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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