

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18569 of 2025

Arising Out of PS. Case No.-802 Year-2015 Thana- BIHTA District- Patna

1. Surendra Yadav Son of Late Rajaram Yadav Resident of Village - Itwan, P.S. - Bihta, District - Patna
2. Ramdev Yadav Son of Late Rajaram Yadav Resident of Village - Itwan, P.S. - Bihta, District - Patna
3. Rajdeo Yadav Son of Late Rajaram Yadav Resident of Village - Itwan, P.S. - Bihta, District - Patna
4. Birendra Yadav @ Birendra Kumar Son of Ramdeo Yadav Resident of Village - Itwan, P.S. - Bihta, District - Patna
5. Lalan Yadav @ Lalan Kumar Son of Ramdeo Yadav Resident of Village - Itwan, P.S. - Bihta, District - Patna
6. Baban Yadav @ Baban Kumar Son of Rajdeo Yadav Resident of Village - Itwan, P.S. - Bihta, District - Patna
7. Pintu Yadav Son of Rajdeo Yadav Resident of Village - Itwan, P.S. - Bihta, District - Patna
8. Shiv Kumar Yadav @ Shiv Kumar Son of Surendra Yadav Resident of Village - Itwan, P.S. - Bihta, District - Patna
9. Deo Kumar Son of Surendra Yadav Resident of Village - Itwan, P.S. - Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-04-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection
with Bihta P.S. Case No. 802 of 2015 instituted for the offence



under Sections 47(A) of the Excise Act.

3. The case of the prosecution is that the police had an information that on the bank of Ajgara River, illicit liquor was being manufactured. On this information, the police raided the bank of the said river and from the bank of Ajgara River, 100 liters of country made liquor and other articles were recovered. In course of inquiry, the police came to know that the petitioners were indulged in manufacturing of illegal liquor.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. He also submits that the seizure has been made from an open place. The name of these petitioners has surfaced during inquiry. Nothing has been recovered from their physical possession. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four



weeks from today and in the event of their arrest or surrender in connection with Bihta P.S. Case No. 802 of 2015, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) **each** with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Danapur, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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