

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24720 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- BALIYA District- Begusarai

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1. Mohan Yadav S/o Sunil Yadav R/o Village- Pokhariya, Ward no. 17, P.S.- Balliya (Ballia), District- Begusarai
 2. Ajab Yadav @ Ajav Yadav @ Ajavlal Yadav S/o Kamo Yadav @ Kamleshwari Yadav R/o Village- Pokhariya, Ward no. 17, P.S.- Balliya (Ballia), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sandip Kumar Gautam, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-05-2025 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 30(a), 32(2), 41(1), 41(2) and 56 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 50 litres illicit country made liquor was recovered from the farm of co-accused Mohan Yadav.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from conscious possession of these petitioners and they have falsely been implicated in this case merely on



suspicion. The alleged illicit liquor has been recovered from an open place, which is accessible to one and all. Petitioner No. 1 has got one criminal antecedent of similar nature in which he is already on bail and Petitioner No. 2 claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of these petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise-II, Begusarai in connection with Balliya (Ballia) P.S. Case No. 73 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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