

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30454 of 2025

Arising Out of PS. Case No.-405 Year-2024 Thana- TARAIIYA District- Saran

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1. Aklesh Kumar @ Akhilesh Ray son of Ramadhar Ray Village- Dewadhi, Ps- Taraiya, Dist- Saran at Chapra
 2. Naresh Ray Son of Late Prasad Ray Village- Dewadhi, Ps- Taraiya, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-05-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Taraiya P.S. Case No. 405 of 2024 lodged on 20.10.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioners. Total recovery of 120 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the alleged recovery has been made from an open place which is accessible to public at large. Counsel submits that nothing has been recovered from the petitioners'



possession and their name has come in this case only by virtue of the disclosure made by local *chowkidar*. Counsel further submits that petitioners have no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners but submits that petitioners have no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of 3rd Exclusive Special Excise Judge, Saran at Chapra, in connection with Taraiya P.S. Case No. 405 of 2024, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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