

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35620 of 2025

Arising Out of PS. Case No.-468 Year-2024 Thana- KAUWAKOL District- Nawada

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1. Sharwan Kumar @ Sharwan Yadav S/o Yogi Yadav R/o Village- Khaira, P.S.- Kawakole, District- Nawada
 2. Dayanand Kishore @ Dayanand Yadav S/o Upendra Yadav R/o Village- Khaira, P.S.- Kawakole, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in connection with Kawakole PS Case No. 468 of 2024 instituted for the offences under Section 30(a) of the Excise Act.

3. The prosecution case, in short, is that total 150 litres of country made liquor was recovered from three gallons and 5000 litres semi prepared liquor was destroyed at the spot.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. The name of the petitioners transpired in this case on the basis of secret information. Learned counsel for the petitioners,



therefore, contends that prima-facie no case is made out against the petitioners. The petitioner has got no concern with the alleged recovery of liquor. The petitioners have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted regular bail by this Court vide order dated 03-03-2025, passed in Cr. Misc. No. 13692 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest/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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kawakole PS Case No. 468 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

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