

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35511 of 2025

Arising Out of PS. Case No.-336 Year-2024 Thana- SAKURABAD District- Jehanabad

1. Arvind Yadav S/o Baleshwar Yadav R/o vill - Gopalpur, P.S.- Shakurabad District - Jehanabad
2. Anil Yadav S/o Lala Yadav R/o vill - Gopalpur, P.S.- Shakurabad District - Jehanabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sailesh Kumar, Advocate
For the State : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Shakurabad PS. Case No-336 of 2024, dated-20.12.2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 65 litre of illicit liquor has been recovered from a bush situated on the bank of a river and some *mahua* liquor has also been recovered. As per the further case of the police, it was the petitioner who was seen to be keeping that liquor at the place of recovery as stated by the public.



4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners have nothing to do with the alleged recovery of liquor. He also submits that no *prima facie* case is made out against the petitioner under the Excise Act, and hence, this bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner no.1 has no criminal antecedents whereas the petitioner no.2 has been made accused in two other cases.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned concerned Court Below, in connection with Shakurabad PS. Case No-336 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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