

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36526 of 2025

Arising Out of PS. Case No.-599 Year-2023 Thana- DHAKA District- East Champaran

1. Akash Kumar S/O Shiv Prasad @ Shivprasad Rai Resident of village - Shyam Bakhari, Sham Bakhri, P.S- Dhaka, District- East Champaran
2. Vikash Kumar S/O Lalbabu Prasad Yadav Resident of village - Shyam Bakhari, Sham Bakhri, P.S- Dhaka, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Dhaka P.S. Case No.599 of 2023 for the offences punishable under Sections 414 and 34 of the I.P.C. read with Sections 30(a) and 41(i) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, the total recovery of 36 litres of nepali liquor has been made from a bag, 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 also submits that the said recovery has not been made from conscious possession of the petitioners and their name have been transpired only on the basis of their enemy. Counsel further submits that criminal antecedent of the petitioners is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that criminal antecedent of the petitioners is clean and this aspect must be taken into consideration.

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 learned Court below 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 BNSS, 2023 to the satisfaction of Exclusive Special Excise Court No-3, East Champaran, Motihari, in connection with Dhaka P.S. Case No.599 of 2023, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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