

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38757 of 2025

Arising Out of PS. Case No.-187 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

1. Mahesh Yadav S/o Ram Kumar Yadav R/o Village- Masarh Tola (South Masardh Tola) PS- Udwwant Nagar, Disttict-Bhojpur
2. Ram Nath Yadav S/o Late Ram Chandra Yadav R/o Village- Masarh Tola (South Masardh Tola) PS- Udwwant Nagar, Disttict-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-06-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 75 liters country made liquor was recovered from the seized motorcycle bearing registration no. BR03AK7249.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of these petitioners. Petitioners are neither drivers nor owners of the vehicle in question. Petitioners have got no concern with the alleged recovery and they have been made accused in this case only on suspicion. Petitioner no. 1 claims



clean antecedent and petitioner no. 2 has got four criminal antecedents of similar nature.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that petitioner no. 2 has got four criminal antecedents of similar nature.

6. Considering the criminal antecedents of similar nature, prayer for anticipatory bail of petitioner no. 2 is refused.

7. However, considering the nature of accusation and clean antecedent, this anticipatory bail is allowed with regard to petitioner no. 1 and it is ordered that let the above named petitioner no. 1 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge No. 2, Bhojpur at Ara in connection with Udwant Nagar P. S. Case No. 187 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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