

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44902 of 2025

Arising Out of PS. Case No.-154 Year-2025 Thana- NEMDARGANJ District- Nawada

1. Madan Kumar @ Pramod Kumar S/o- Mahendra Yadav Vill - Pandey Bigha, P.S - Nemdarganj, Dist - Nawada
2. Bidi Kumar S/o- Ramatar Yadav Vill - Pandey Bigha, P.S - Nemdarganj, Dist - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-07-2025 Heard Mr. Birendra Kumar, learned counsel for the
petitioners and Mr. Nityanand, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Nemdarganj P.S. Case No. 154 of 2025 instituted for the offence under Section 30(a)(d)/41 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that, from a village, Pandey Bigha, near bushes, a total of 15 liters of country-made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Nothing has been recovered from their conscious possession. He also submits that the seizure list also goes to



show that the seizure was made from an open place, which has no evidentiary value in the eye of law. He further submits that a statement has been made in para-3 of this petition that the petitioners have got one criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Nemdarganj P.S. Case No. 154 of 2025, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge 1st Nawada, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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