

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48237 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- BIND District- Nalanda

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1. Akash Yadav @ Julum Yadav @ Sukhraj Yadav S/o Bindeshwar Yadav R/o Vill- Chatarpur, P.S.- Bind, Distt- Nalanda
 2. Ramesh Yadav @ Mukesh Yadav @ Mukesh Kumar S/o Bindeshwar Yadav R/o Vill- Chatarpur, P.S.- Bind, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in Bind P.S. Case No. 107 of 2025, instituted for the offences punishable under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 132 liters liquor was recovered from two motorcycles.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners also submits that petitioner no. 1 has got no concern with the motorcycles, whereas petitioner no. 2 is owner of one of the motorcycles in question. The petitioners were not present at the place of



occurrence. Petitioner no. 1 has got three criminal antecedents and petitioner no. 2 has got two criminal antecedents. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 26.06.2025 passed in Cr. Misc. No. 40430 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and has also submitted that petitioner no. 2 is owner of one of the motorcycles in question. It is further submitted that petitioner no. 1 has got three criminal antecedents and petitioner no. 2 has got two criminal antecedents. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and criminal antecedents of the petitioners, this Court is not inclined to grant anticipatory bail to the petitioners.

7. The prayer is rejected. However, the petitioners are directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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