

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58341 of 2025

Arising Out of PS. Case No.-341 Year-2025 Thana- RAJGIR District- Nalanda

1. Dharmendra Kumar Son of Rameshwar Yadav, Resident of Village -Chetnalay, P.S.- Rajgir District -Nalanda.
2. Awdhesh Kumar Son of Mohan Yadav, Resident of Village -Chetnalay, P.S.- Rajgir District -Nalanda.
3. Amit Kumar @ Manta Son of Niwas Yadav, Resident of Village -Chetnalay, P.S.- Rajgir District -Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Petitioners apprehend their arrest in connection
with Rajgir P.S. Case No.341 of 2025 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 60
litre country made liquor kept in plastic gallon near the
boundary of ordinance factory. It is alleged that the petitioners
fled away from the spot after seeing the police.

4. Learned counsel for the petitioner submits that
petitioners are innocent and have falsely been implicated in this



case only on the basis of suspicion. He further submits that the petitioners were not present on the spot and no incriminating article has been recovered from their conscious possession. Learned counsel submits that the alleged recovery of illicit liquor has been made near the boundary of ordinance factory, which is an open place and accessible to public at large. He further submits that petitioners have no concern with the alleged seized liquor. Learned counsel submits that petitioner no.1 has one criminal antecedent, in which he is on bail and petitioner nos.2 & 3 have no criminal antecedent and they undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioners be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-II, Biharsharif, Nalanda in connection with Rajgir P.S. Case No.341 of 2025, subject to the conditions as laid down under Section 482(2) of



the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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