

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57392 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- Bhopatpur District- East Champaran

1. Pappu Yadav @ Pappu Kumar, S/o Lakhindra Yadav, R/o Village - Chaubey Tola, P.S. - Bhopatpur, District - East Champaran
2. Mohit Yadav, S/o Manager Yadav, R/o Village - Chaubey Tola, P.S. - Bhopatpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioners apprehends their arrest in connection with Bhopatpur P.S. Case No. 39 of 2025 for the offence registered under Section 30(a), 32, 41(i) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 110 litres of country made liquor at the bank of Sareh river. It is alleged that after seeing the police the petitioners fled away from the spot.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Petitioners were neither present on the spot nor any incriminating article have been recovered from the conscious



possession of the petitioners. Further submission is that petitioners have no concern with the seized liquor. The place of recovery is an open place which is accessible to public at large. Petitioners were made accused only on the statement of the local *chaukidar*. Petitioners have no criminal antecedents. They undertake to co-operate 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 Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No. 1, Motihari, East Champaran, in connection with Bhopatpur P.S. Case No. 39 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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