

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58123 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- MIRGANJ District- Gopalganj

1. Prince Kumar Yadav, S/o Abhay Yadav R/o Vill- Bhagwanpur, P.S.- Mirganj, Distt- Gopalganj
2. Nitesh Yadav S/o Ramapati Chaudhari R/o vill - Sikuwara, P.S.- Nautan, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Priya Raj, Advocate Mr. Ashok Kumar Dubey, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Mirganj P.S. Case No. 155 of 2025, instituted under Sections 317(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition & Excise Act.

3. There is recovery of 60.4 litre country made liquor from the gunny bag loaded on the motorcycle bearing Registration No. BR06 AY 7981. It is alleged that 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 only on the basis of suspicion. Petitioners have neither



concern with the said motorcycle nor with the seized liquor. They were not apprehended on the spot. Nothing has been recovered from the conscious possession of the petitioners. Petitioners have one criminal antecedent in which they are on bail. Petitioners 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 facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV cum Special Judge, Excise Court No.-II, Gopalganj in connection with Mirganj P.S. Case No. 155 of 2025, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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