

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88833 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- SONBERSHA RAJ District- Saharsa

1. Chandeshwari Yadav @ Kailu @ Kailu Yadav Son of Santokhi Yadav Resident of Village- Rakhauta Chakra, P.S.- Sonbarsa Raj, District -Saharsa
2. Anil Yadav Son of Chhotkan Yadav Resident of Village- Rakhauta Chakra, P.S.- Sonbarsa Raj, District -Saharsa
3. Manikchan Mukhiya @ Manikchand Mukhiya Son of Bhupen Mukhiya Resident of Village- Rakhauta Chakra, P.S.- Sonbarsa Raj, District -Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-01-2025 Learned counsel for the petitioners seeks permission to withdraw the bail application with respect to petitioner no. 1, namely, Chandeshwari Yadav @ Kailu @ Kailu Yadav, since during the pendency of this case, he has been arrested.

2. Permission is accorded.

3. Accordingly, the bail application with respect to petitioner no. 1 is dismissed as withdrawn.

4. Heard learned counsel for the petitioners no. 2 and 3 and learned A.P.P. for the State.

5. The petitioners apprehend their arrest in a case



registered under Section 30(a) of Bihar Excise Act.

6. As per prosecution case, 155.625 liters illicit liquor has been recovered from the house of co-accused Chandeshwari Yadav @ Kailu @ Kailu Yadav.

7. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. The names of the petitioners have transpired during course of investigation. Nothing has been recovered from the conscious possession of the petitioners. Petitioners have no concern with the seized illicit liquor nor from the place of occurrence. Petitioners have got no criminal antecedent.

8. Learned A.P.P. appearing on behalf of the State opposed the bail application.

9. Having considered the aforesaid facts and circumstances of the case, let **petitioner no. 2, namely, Anil Yadav and petitioner no. 3, namely, Manikchan Mukhiya @ Manikchand Mukhiya, be released on bail**, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail-bonds of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special



Judge (Excise)-I, Saharsa in connection with Sonbarsa Raj P.S.
Case No. 163 of 2024, subject to the conditions as laid down
under Section 482(2) of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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