

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.390 of 2025

Arising Out of PS. Case No.-378 Year-2024 Thana- SIRDALA District- Nawada

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1. Ajay Singh Son of Budhan Singh Resident Of Village- Narhi, PS- Parnadabar, District -Nawada
 2. Birendra Ghatwar @ Birendra Singh Son of Budhan Singh Resident Of Village- Narhi, PS- Parnadabar, District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in
Sirdala P.S. case No. 378 of 2024 registered under Sections
30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that 770
liters liquor was recovered from the hut and four motorcycles
were recovered from outside the hut.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioners. It is submitted



that the recovery is made from the hut of Ram Chandra Yadav. The motorcycles in question do not belong to the petitioners. The petitioners have got no knowledge and concern with the alleged recovery of liquor. It is further submitted that petitioner No. 1 has one criminal antecedent and petitioner No. 2 has no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Sirdala P.S. case No. 378 of 2024, subject to the conditions as laid down under Section 482(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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