

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39612 of 2026

Arising Out of PS. Case No.-823 Year-2025 Thana- MASAUDHI District- Patna

1. Rakesh Kumar S/o Ramakabal Kumar @ Ram Akawal Kumar @ Arvind @ Arvind Yadav Resident of Village - Badaroi, P.S. - Lahasuna, District - Patna.
2. Nitish Kumar S/o Late Naresh Yadav Resident of Village - Badaroi, P.S. - Lahasuna, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sheonandan Pandit, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-06-2026 Heard Mr. Sheonandan Pandit, learned counsel appearing on behalf of the petitioners and Mr. Umeshanand Pandit, learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 650 liters illicit country made liquor was recovered from an open place.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from conscious possession of these petitioners and they have falsely been implicated in this case merely on



suspicion. The alleged illicit liquor has been recovered from an open place, which is accessible to one and all. Petitioners have got one criminal antecedent of similar nature in which they are already on bail.

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

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of these petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge 3rd Excise Act, Patna in connection with Masaurhi P.S. Case No. 823 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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