

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86121 of 2024

Arising Out of PS. Case No.-470 Year-2024 Thana- Excise P.S. District- Siwan

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Ramchandra Yadav @ Tiger Yadav Son of Aklu Yadav Resident Of Village-
Tikampar, Ps -Bhatpar, Dist- Deoria, Up

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 213-12-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Siwan Excise Police Station Case No. 470 of 2024, dated 03.08.2024, disclosing offences punishable under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act, 2016.

3. The prosecution case, as per the First Information Report, is that on 03.08.2024, the police got secret information that the petitioner along with other accused person is transporting illicit liquor through a pick-up van having Registration No. BR28GA8945. The vehicle was being driven by Guddu Yadav and the co-driver is Bhola Yadav. Upon this information, the police reached near the place



of occurrence and upon seeing the Police party two persons started fleeing away after leaving the pick-up van and succeeded in the same. The police recovered a total quantity of 622.080 liters of foreign liquor from the said vehicle.

4. Learned Counsel for the petitioner submits that the petitioner has only been made accused on the basis of secret information received by the Police. The petitioner is having no criminal antecedent. The pick-up van does not belong to the petitioner and the petitioner is not the owner of the seized vehicle and the liquor. He further submits that similarly situated co-accused person, namely, Rahul Singh, has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 21.01.2024, passed in Criminal Misc. No. 77261 of 2024.
5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is not the owner of the vehicle, illicit liquor has not been recovered from the vehicle belonging to him, the petitioner is having no criminal antecedent and similarly situated co-accused has been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. II, Siwan, in connection with Siwan Excise Police Station Case No. 470 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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