

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2489 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- SAHARGHAT District- Madhubani

Ram Prakash Yadav Son of Shovit Yadav Resident of Village - Chahauta, Post
- Loth, P.S.- Benipatti, Dist.- Madhubani.

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Rajkumar Rajesh, Advocate
For the Opposite Party/s : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-02-2025 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 Saharghat Police Station Case No. 54 of 2024, disclosing offences under Sections 272, 273 of the Indian Penal Code and 30(P) of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 22.06.2024, informant got secret information that a silver colour bolero car was coming from Kerwa, having illicit liquor in it. Upon such information, the police started vehicle check, intercepted a bolero car bearing Registration No. BR07P 3076, and upon seeing the police party, driver of the said vehicle fled away after leaving the vehicle on the spot. On



search, 450 litre of Nepali countrymade liquor Sophi was recovered from the said bolero car. The name of the petitioner transpired on the basis of the fact that he is the registered owner of the vehicle.

4. Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and has falsely been implicated in this case only because he happens to be the registered owner of the vehicle in question. The occurrence has taken place on 22.06.2024, but the bolero car was sold much prior to the date of occurrence in favour of one Ajeet Yadav on 19.09.2023. In support of the sale of the vehicle in question, the petitioner has annexed Annexure-2, i.e., sale letter and the money receipt of the consideration amount of sale transferred online by the purchaser Ajeet Yadav in favour of the petitioner on 19.09.2023. He further submits that some of the amount were paid in cash.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the justification given by the petitioner that the vehicle in question was sold in favour of third party earlier and the petitioner is having no criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Additional Sessions Judge-II-cum-Special Judge Excise Act, District-Madhubani, in connection with Saharghat Police Station Case No. 54 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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