

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.7026 of 2025

Arising Out of PS. Case No.-394 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Harendra Yadav @ Harendra Son of Jhulan yadav Resident of Vill -Daniyari
P.S -Tareya Sujan Dist -kushinagar Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 21-03-2025 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 Kuchaikote Police Station Case No. 394 of 2024, dated 16.09.2024, disclosing offence under Section 317 (5) of the Bhartiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. The prosecution case, as per the First Information Report, is that the police, during vehicle check, stopped one Bolero vehicle, but the driver of the said vehicle tried to flee away, however, he was apprehended by the police. On search of the vehicle, the police recovered 270 litres of illicit liquor from the same. The apprehended person



disclosed that the vehicle, loaded with illicit liquor, was handed over to him by the petitioner in Uttar Pradesh for going to Gopalganj.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the disclosure of his name by the arrested co-accused person. He further submits that the petitioner has got no concern either with the illicit liquor recovered or the vehicle in question inasmuch as he is not the registered owner of the vehicle in question. He further submits that the petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has got no criminal antecedent, his name transpired in this case by the arrested co-accused person and he is not the registered owner of the vehicle, in question, 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) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Gopalganj, in connection with Kuchaikote Police Station Case No. 394 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

