

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5774 of 2025

Arising Out of PS. Case No.-1523 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Rambhu Kumar Yadav @ Rambhu Kumar S/o- Ramyodhya Ray Resident of
village - NST colony, kohima, P.s.- kohima south Dist- Kohima Nagaland

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Section 30(a)/41 of the Bihar Prohibition and Excise Act.

3. A perusal of the first information report and the seizure list would go to show that total 5279.4 liters of foreign liquor has been recovered from a gas tanker, bearing Registration No.NL 01K 4421. The driver along with two others were apprehended at the spot. Petitioner is the owner of the said gas tanker.

4. Learned counsel for the petitioner submits that the name of the petitioner transpired in the instant case on account of the fact that he happens to be the owner of the seized gas



tanker. He further submits that he had given his gas tanker to his driver to ply on rent and has no knowledge that the same is being put to illegal use. He further submits that there is no independent witness to the search and seizure violating the mandatory provisions. He further submits that there is no material in the case diary to connect the petitioner in the present case except that he is the owner of the said gas tanker.

5. Learned APP for the State opposed the prayer for bail on the ground of recovery of huge quantity of illicit liquor and the fact that petitioner is the owner of the said gas tanker.

6. At this stage, learned counsel for the petitioner makes an offer that petitioner would deposit a sum of Rs.50,000/- (Rupees Fifty Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

7. Taking into consideration the abovementioned facts and circumstances of the case and further that the petitioner has no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four



weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/ successor Court in connection with Ahiyapur P.S. Case No.1523 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

8. The learned Court below is directed to accept the bail bonds of the petitioner after depositing the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Soni Shrivastava, J)

Trivedi/-

U		T	
---	--	---	--

