

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4826 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- UCHKAGAON District- Gopalganj

Yogesh Yadav@Jugesh Yadav@Jugesh Kumar Yadav@Yogesh Kumar
Yadav@Yogendra Yadav@Yogendra Kumar Yadav Son of Doma Yadav
Resident of Village- Birvat, Police Station- Uchakagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 5480 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- UCHKAGAON District- Gopalganj

Sandip Kumar @ Sandeep Kumar Son of Om Prakash Singh Resident of
village- Chhotka Sakhe, Police Station -Uchakagaon, District -Gopalganj
(Bihar), PIN Code-841438

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4826 of 2025)

For the Petitioner/s : Mr. Shashi Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 5480 of 2025)

For the Petitioner/s : Mr. Rajesh Roy, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-03-2025 Since both these applications arise out of Uchakagaon

Police Station Case No. 376 of 2024, with the consent of the

parties, both these applications are being heard together.

2. Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.



3. This application, for grant of anticipatory bail, arises out of Uchakagaon Police Station Case No. 376 of 2024, disclosing offences under Sections 317(5)/3(5) of the B.N.S and 30(a)(b) of the Bihar Prohibition & Excise Act.

4. The prosecution case, as per the First Information Report, on 06.11.2024, police got the secret information that petitioners along with co-accused persons were coming from U.P. on Scorpio in order to supply the same to other liquor traders. Upon this information, police started vehicle search and upon seeing the police party, one pick-up vehicle speeded up, however, the same was overturned in a ditch from where 4-5 persons came out and started fleeing away and were identified. One of the persons who fled from the vehicle was the petitioner. On search of the vehicle, 345 litres of country-made liquor was recovered by the police.

5. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case on the basis of secret information and identification made by the police officers. The Scorpio vehicle from where the liquor has been recovered does not belong to the petitioners and stated that petitioners are not the owner of the said vehicle. The police in the FIR has suspected that the vehicle may be stolen one, but no



FIR has been lodged regarding the theft of the vehicle.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the illicit liquor has not been recovered from the conscious possession of the petitioners or the vehicle belonging to the petitioners, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of their 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-XIII-cum-Special Excise Court No.-1, Gopalganj, in connection with Uchakagaon Police Station Case No. 376 of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

Siwani/-

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

