

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11316 of 2025

Arising Out of PS. Case No.-163 Year-2024 Thana- ANDHRAMATH District- Madhubani

Debu Yadav Son of Late Soti Lal Yadav @ Sotila Yadav Resident of Village -
Dakahi, P.S. - Andhramath, District – Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-03-2025 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 Andhramath Police Station Case No. 163 of 2024, disclosing offence under Sections 274, 275 of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 30.09.2024, the police got secret information that illicit liquor has been kept in his orchard for selling it by the petitioner. The police arrived at the place of occurrence and recovered 90 litres of country-made liquor from the orchard of the petitioner.

4. Learned Counsel for the petitioner submits that petitioner has been made accused on the basis of secret



information and the liquor has been recovered from the orchard which is an open space accessible to everyone. The liquor has not been recovered from the conscious possession and or inside the premises of the petitioner.

5. Having regard to submissions made by the parties and considering the fact that liquor has been recovered from an open place, accessible to all, 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 Special Judge Excise Act, Jhanjharpur, Madhubani, in connection with Andhramath Police Station Case No. 163 of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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