

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11297 of 2025

Arising Out of PS. Case No.-371 Year-2024 Thana- SISWAN District- Siwan

Mithilesh Yadav Son of Hari Yadav Resident - Kachnar Tola, Gudrihata
Kachnar, PS- Kachnar, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar Dwivedi, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-03-2025 1. Heard learned Counsel for the petitioner and learned
APP for the State.
2. This application, for grant of anticipatory bail, arises
out of Siswan PS case no. 371 of 2024 dated 12.11.2024,
disclosing offences punishable under Section 30(a) of Bihar
Prohibition and Excise Act.
3. The prosecution story, as per the First Information
report, is that on 12.11.2024, during vehicle check, the police
intercepted one motorcycle and upon seeing the police party, two
persons started fleeing away, however on chase, the driver of the
motorcycle was apprehended by the police however the pillion
rider managed to escape. The apprehended person disclosed the
name of the petitioner, who succeeded in fleeing away. It is alleged
that police recovered 24 liters of illicit countrymade liquor from



the motorcycle.

4. Learned Counsel for the petitioner submits that petitioner has no criminal antecedent and he has been made accused on the disclosure of his name by the arrested co-accused. He further submits that petitioner is not the owner of the motorcycle, from where, illicit liquor has been recovered.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is not the owner of the motorcycle and he is having no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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. 2, Siwan in connection with Siswan PS case no. 371 of 2024, subject to the condition laid down under Section 482 (2) of the BNSS Act.

(Anil Kumar Sinha, J)

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