

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8469 of 2025

Arising Out of PS. Case No.-292 Year-2024 Thana- SISWAN District- Siwan

Arbind Kumar Yadav @ Arvind Kr. Yadav S/O Lal Bahadur Yadav Resident
of Village - Chanchaura, P.S. - Rasulpur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is not named in the

F.I.R. and apprehended his arrest in connection with Siwan

P.S. Case No. 292 of 2024 registered for the offences

punishable under Section 30 (a) of the Bihar Prohibition and

Excise Act.

3. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 25 litres of IMFL/country made

liquor.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated with present case being registered owner of the motorcycle bearing reg. no. BR 29 AB 8074, which was stolen on 11.06.2021 and later on found engaged in carrying illicit liquor. It is submitted that for said theft petitioner registered Ekma Bazar P.S. Case No. 230 of 2021 under Section 379 of the IPC against unknown persons. It is submitted that no illicit liquor was recovered from the physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, who is a man clean antecedent, where implication appears being registered owner of the motorcycle which was stolen by unknown persons much before present occurrence, accordingly the petitioner above named, in the event of his arrest or surrender before the



learned Court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No. II, Siwan/concerned trial Court where the case is pending in connection with Siwan P.S. Case No. 292 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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

