

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9349 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- KATORIYA District- Banka

Baleshwar @ Ballu Yadav Son of Bhimlal Yadav Dev R/O Vill.- Barwasani,
P.S.- Katoria, Dist.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Adv.
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Katoriya P.S. Case No. 283 of 2024 dated, instituted for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2018.

3. The allegation is of recovery of 30 litres country
made liquor from Bamboo orchard situated near the house of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that nothing has been recovered either from
conscious possession of the petitioner or from his house, rather,
the said illicit liquor has been recovered from the Bamboo



orchard, which is open place and easily accessible to any person. It is also submitted that the petitioner has been made accused only on the statement of Pinki Devi with whom the petitioner is on inimical term. It is submitted that the orchard where the illicit liquor was recovered does not belong to the petitioner. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Katoriya P.S. Case No. 283 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Exclusive Excise Court No. II, Banka, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

prabhat/-

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

