

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9749 of 2025

Arising Out of PS. Case No.-537 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Lallu Prasad Yadav @ Lalu Prasad Yadav, S/o- Late Bhalu Yadav, resident of
Village- Bajruon Ps- Udwantnagar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Udwantnagar P.S. Case No. 537 of 2024 dated 06.12.2024
instituted for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation is of recovery of total 70 litres
country liquor from the bank of Asni Banas river.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
either from the conscious possession of the petitioner or from
the house of the petitioner. The said liquor has been recovered
from the the bank of Asni Banas river, which is open place and



easily accessible to anyone. Lastly, it has been submitted that petitioner has one criminal case against him of similar nature.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory 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 Udwanthnagar P.S. Case No. 537 of 2024, he will be released on 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 Exclusive Special Excise Judge Excise Court No. II, Bhojpur at Ara subject to condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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