

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11192 of 2025

Arising Out of PS. Case No.-128 Year-2024 Thana- Gurupa District- Gaya

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Pintu Yadav @ Pintu Kumar, S/o Chandeshwar Yadav @ Chalitra Yadav, R/o
Village- Dhanchhu, PS- Gurpa, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Gurpa P.S. Case No.128 of 2024 registered for the offences punishable under Sections 30(a) (b) of the Bihar Prohibition and Excise Act.

3. The First Information Report discloses that a total 1400 liters of country made mahua liquor was recovered from eight motorcycles and it is alleged that the petitioner and other co-accused persons upon seeing the police party fled away upon leaving the motorcycles along with liquor.

4. Learned counsel for the petitioner submits that the petitioner is said to have been identified by the Mahal Chowkidar and hence, also submits that the case has been



merely lodged on the basis of the suspicion. It has been further submitted that no recovery has been made from the conscious possession of the petitioner and the petitioner has specifically stated in paragraph 8 of his petition that out of the eight motorcycles standing in a forest the petitioner is neither the owner nor the driver of any of the motorcycles in question.

5. It has also been submitted that the seizure list has been prepared in violation of the mandatory provisions of the BNSS. It is, however, submitted that there is one case of the same nature against the petitioner and it is also his submission that it is because of having one antecedent that he has been implicated in the present case also only on the basis of the suspicion.

6. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail. Let the petitioner above-named, in case of his arrest/surrender within a period of four weeks from today, be enlarged 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.4, Gaya in connection with Gurpa P.S. Case No.128 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and subject to the



further condition that:-

(i) One of the bailors shall be the family member/relative of the petitioner and petitioner shall cooperate in course of investigation/trial.

(ii) The Court below shall verify the criminal antecedent of the petitioner before releasing him on bail and if, it is found that the petitioner is involved in any other cases, his bail bond shall not be accepted by the learned court below.

(Soni Shrivastava, J)

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