

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14192 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- MARAUNA District- Supaul

Jay Prakash Yadav @ Jay Prakash Kumar Yadav @ Jayprakash Yadav S/O
Upendra Yadav R/O Village- Kushmoul, Ward No.- 7, P.S.- Marauna, District-
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Marauna P.S. Case No. 107 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 104.750 liters of foreign liquor was recovered from Scorpio.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner has no knowledge and concern with



the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioner. It is submitted that petitioner is neither the owner nor the driver of the seized vehicle. It is further submitted that the name of the petitioner has transpired on the basis of confessional statement of apprehended co-accused person namely, Jibachh Yadav. The petitioner has two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted anticipatory bail by this Court *vide* order dated 07.02.2025 passed in Cr. Misc. No. 8346 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor
court in connection with Marauna P.S. Case No. 107 of
2024, subject to the conditions as laid down under Section
482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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