

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14439 of 2025

Arising Out of PS. Case No.-220 Year-2024 Thana- EXCISE MAHARAJGANJ District-
Siwan

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Nagendra Yadav @ Nagendra Kumar Yadav Son of Jagdhari Rai Resident of
Vill- Khushiha Dumari, P.S.- Jamo Bazar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-03-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Maharajganj Excise P.S. Case no. 220 of 2024, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that on secret information having been received, a raid was conducted and 103.68 litres of IMFL was recovered. An accused Prince Kumar @ Manoj Kumar was taken into custody. It is further stated that on inquiry the accused who was caught disclosed that the liquor belonged to the petitioner and he only looks after the same.



4. Learned counsel for the petitioner submits that from the contents of the FIR itself it would be evident that no incriminating article has been recovered from the petitioner's possession nor was the petitioner caught at the place of occurrence. The only material against him is the statement of co-accused made before police. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R, the name of the petitioner having transpired in the statement of co-accused made before police, no incriminating article having been recovered from his possession and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Maharajganj Excise P.S. Case no. 220 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Exclusive Special Excise Court no-II, Siwan.

(Partha Sarthy, J)

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