

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14345 of 2025

Arising Out of PS. Case No.-459 Year-2024 Thana- RAJNAGAR District- Madhubani

Sunil Kumar S/o- Vindeshwar Yadav R/o village - Nawth ward no. 06 , P.s.-
Pandaul , District – Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Vinod Kumar, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Aditya Narayan Singh.1. APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 15-05-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 37 and 47 of the Bihar Prohibition and Excise Act, 2016

3. As per the prosecution case, there is a recovery of 300 ml of Nepali liquor from the jacket of the co-accused Deepak Yadav, who was apprehended at the place of occurrence, along with a motorcycle.

4. Learned counsel for the petitioner submits that there is no recovery from the physical and conscious possession of the petitioner and his name has transpired on account of the fact that he is the owner of the said motorcycle. It has been



submitted by learned counsel for the petitioner that one co-accused of this case, Deepak Yadav along with Pitamber Yadav had taken the motorcycle of the petitioner for some urgent work and he has no knowledge that the motorcycle was put to such illegal use and in fact, no recovery has been made from the motorcycle. The petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Rajnagar P.S. Case No.459 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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