

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15973 of 2025

Arising Out of PS. Case No.-356 Year-2022 Thana- SAKRA District- Muzaffarpur

Surendra Yadav @ Surinder Yadav S/o Mahant Yadav R/o Roop Nagar Power House, Ambedkar Nagar (Street No. 14), P.S.- Kanganwall, Distt.- Ludhiana, Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Nitu Kumari, Adv.

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Sakra P.S. Case No. 356 of 2022, for the offence punishable under Sections 30(a), 32(i) (ii) (iii) and 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, the total recovery of 774 litres of *foreign* liquor has alleged to be made from a pick up van, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that nothing has been recovered from the possession of the petitioner and his name has been figured in this case on confessional statement of co-accused persons.



Counsel further submits that criminal antecedent of the petitioner is clean. He further submits that the said vehicle was lodged at the instance of the petitioner who has provided the alleged pick up van to the apprehended persons.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean, but no recovery has been made from his possession. From the contents of FIR, it becomes crystal clear that it is the petitioner who has lodged the pick up van and provided to apprehended accused persons.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

