

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19507 of 2025

Arising Out of PS. Case No.-237 Year-2022 Thana- SISWAN District- Siwan

Vijay Kumar Yadav Son of Shivanath Yadav Resident of village -Gonahariya
PS -Raghunathpur District -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is apprehending arrest in connection with Siswan P.S. Case No. 237 of 2022, registered on 04.10.2022, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. As per the prosecution, total recovery of 36 litres of illicit foreign liquor has been made, 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 further submits that nothing has been recovered from the possession of the petitioner. Counsel further submits that although the motorcycle was purchased by the petitioner, he had lent it to someone for some urgent work and was unaware that it



had been used for any illegal activity. Counsel also submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail and submits that, although the petitioner is involved in the present case, but his criminal antecedent is clean.

6. In view of the facts and circumstances of the case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court-II, Siwan, in connection with Siswan P.S. Case No. 237 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. At the time of accepting the bail bond, the Trial Court shall verify that no criminal case is pending against the petitioner. In case, it is found that any criminal case is pending against the petitioner then he shall not be released on bail.

(Dr. Anshuman, J.)

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