

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24956 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- BIND District- Nalanda

Rajesh Yadav Village- Jagatnandpur Bhandari PS- Deepnagar District-
Nalanda Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 05-05-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bind Police Station Case No. 38 of 2025, dated 16.02.2025, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that two people were transporting illicit liquor from Bishunpur to Alipur on a motorcycle, reached at the place of occurrence. Upon seeing the police party, two persons sitting on a motorcycle, started fleeing away and succeeded in it after leaving the motorcycle behind. On search, the police recovered total 17.80 liters of illicit liquor from the sacks



kept on the motorcycle, bearing BR21-AD-8230.

4. Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report and he has falsely been implicated in the present case only because he happens to be the registered owner of the said motorcycle. He next submits that the motorcycle, from where illicit liquor has been recovered, was borrowed by a co-villager and the petitioner had no knowledge about the illicit liquor being kept therein. The petitioner has got no criminal antecedent.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the clarification given by the petitioner that his motorcycle was borrowed by a co-villager, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. 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) each with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge V -cum- Special Judge (Excise), Nalanda,



Biharsharif, in connection with Bind Police Station Case
No. 38 of 2025, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

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

