

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26276 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- YADOPUR District- Gopalganj

Sumant Yadav @ Sumanta Kumar S/O Surendra Yadav Resident of Village-
Semra, PS- Jadopur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh
For the Opposite Party/s : Mr. Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Learned counsel for the petitioner is permitted to
make necessary correction in para 14 of the bail petition during
course of the day.

2. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

3. The petitioner is apprehending his arrest in
connection with Jadopur P.S. Case No. 14/2025 registered for
the offences punishable under Sections 30(a) of the Bihar
Prohibition of Excise Act.

4. As per prosecution case, there is alleged
recovery of 124.600 liters illicit country made liquor from the
motorcycle in question and the local Choukidar disclosed the
name of petitioner who fled away from the place of occurrence.

5. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the FIR. Petitioner bears one criminal antecedent in which he is on bail. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. He further submits that the petitioner is not owner of the said motorcycle in question and there is no compliance of Section 103 of B.N.S.S., 2023. He further submits that the petitioner is not in any way connected with the alleged occurrence as he was going to purchase medicine and he has been falsely implicated in the present case. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

6. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of



Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of learned Additional District and Sessions Judge-XIII cum Special Judge Excise Court No.-I, Gopalganj in connection with Jadopur P.S. Case No. 14/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

8. The application stands allowed.

(Alok Kumar Pandey, J)

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