

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26310 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- Excise P.S. District- Nawada

Sandeep Kumar @ Sandeep Yadav Son of Uday Yadav Village- Kango Bigha
PS -Rajauli, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 21 of 2025 registered for the offences punishable under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, informant got secret information that illicit liquor was being secretly sold by the petitioner and other in the semi-constructed house and warehouse of the co-accused Ramswaroop Yadav. Thereafter, informant alongwith police raiding team reached the spot and recovered altogether 35 litre Chulai liquor from the place of occurrence. Local people disclosed that petitioner and other were used to sell the illicit liquor by keeping the same in the



warehouse and semi-constructed house of co-accused Ramswaroop Yadav.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner was not found at the place of occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. He further submits that the alleged recovery has been made from warehouse and semi-constructed house of said co-accused. Petitioner is not in any way connected with the alleged occurrence. Petitioner bears criminal antecedent of one case in which he on bail. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 Exclusive Special Court, Excise – 2, Nawada in connection with Excise P.S. Case No. 21 of 2025, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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