

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32317 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- Raghunathpur Excise District- Siwan

Pappu Yadav S/o Late Vinod Yadav R/o Village- Barwan Uttarwari Tola, P.S.-
Andar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 26-06-2025 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Raghunathpur P.S. Case no.19 of 2025 registered under
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, a secret information
having been received that some foreign liquor had been kept and
concealed in a tractor trauli, the police party conducted raid and
216 liters of foreign liquor as well as 936 liters of country made
liquor was recovered from the said tractor which was found in an
abandoned condition.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. He is neither the
owner nor the driver of the said tractor. The name of the petitioner
has transpired in this case only on disclosure of local *chawkidar*
who has inimical terms with the petitioner. There was no
independent witness to the seizure list and no recovery has been



made from his physical or conscious possession of the petitioner or from his house. The said tractor which is in abandoned condition, is an open space which is accessible to everyone. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that petitioner has five criminal antecedents of similar nature. In response, learned counsel for the petitioner submits that petitioner is on bail on the said cases.

6. At this stage, the petitioner has agreed to deposit an amount of Rs.5,000/- in the account of Patna High Court Legal Services Committee, Patna bearing Account No. 1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

7. In view of the aforesaid facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Raghunathpur P.S. Case no.19 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.II, Siwan, subject to the condition laid down under Section 438(2) of the



Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023
and subject to the following conditions:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case on an interval of every 15 days till the submission of the charge-sheet.

(III) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(IV) The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee.

(Soni Shrivastava, J)

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