

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31844 of 2025

Arising Out of PS. Case No.-425 Year-2024 Thana- SAUR BAZAR District- Saharsa

Rudal Yadav S/o Dhanik Lal Yadav R/o vill - Sahugadh, P.S. - Madhepura,
Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Saur Bazar P.S. Case No. 425 of 2024 for the offences under Sections 30(a), 41 of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about petitioner and co-accused indulged in large scale of trade of illicit liquor and codeine containing cough syrup being used as intoxicant. During checking of vehicle, the driver and a person travelling through a car fled away on seeing the police party. From the search of the car, recovery of 80 litres of codeine containing cough syrup was made.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the car seized from the spot and submission in this regard has been made in paragraph 8 of the petition. Further, the petitioner has no concern with the seized cough syrup. The petitioner is having antecedent of two cases. Co-accused Amit Kumar @ Hiltar Kr. @ Amit Kumar @ Hiltar Kumar has been granted anticipatory bail by a Co-ordinate Bench vide order dated 19.02.2025 passed in Cr. Misc. No. 7129 of 2025. The case of the petitioner is on similar footing.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner and co-accused fled away leaving behind the vehicle and they were transporting illicit liquor.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the grant of anticipatory bail to co-accused having similar allegation and also considering the fact that there is no material to show the involvement of the petitioner with the offence as alleged and further considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from



today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise – II, Saharsa/concerned court in connection with Saur Bazar P.S. Case No. 425 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

7. However, before accepting the bail bonds of the petitioner, the learned trial court will verify the ownership of the seized car and if it is found that the car belongs to the petitioner or any of his relatives, the bail bonds will not be accepted.

(Arun Kumar Jha, J)

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