

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29923 of 2025

Arising Out of PS. Case No.-258 Year-2024 Thana- CHAKAND District- Gaya

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Guddu Yadav S/o Late Shayamdeo Yadav Resident of Village- Dallibigha,
P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabia Gulnaz

For the Opposite Party/s : Ms.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Chakand P.S. Case No. 258 of 2024 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, there is alleged recovery of 60 litre country made liquor from the motorcycle bearing registration no. BIHAR02BC6770 and 10 litre country made liquor from motorcycle bearing registration no. BR02AY3129 and co-accused, Anuj Kumar, was apprehended on the spot.

4. Learned counsel for the petitioner orally submits that petitioner is not named in the FIR and his name has been



transpired in the present case as owner of the motorcycle bearing registration no. BR02AY3129. Learned counsel for the petitioner submits that petitioner was completely unaware of the fact that his motorcycle was misused by his brother, Anuj Kumar, who was apprehended at the place of occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioner. There is no compliance of Section 105 of BNSS.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, 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 Excise Court No.4, Gaya in connection with Chakand P.S. Case No.



258 of 2024, subject to the conditions as laid down under
Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

vashudha/-

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