

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32801 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- JIRADEI District- Siwan

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Pintu Kumar Yadav @ Pintu Yadav S/o Lalan Yadav Resident of Village -
Khargi Rampur, P.S. - Jiradei, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. Nand Kishore Pd. (APP)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 29-05-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Jiradei P.S. Case No. 190/2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 468 liters I.M.F.L. from the Bolero vehicle in question. Nearby people and local Chaukidar disclosed the name of petitioner and other who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Except disclosure of nearby people and local



Chaukidar, there is nothing on record to demonstrate the complicity of the present with the alleged occurrence. The petitioner bears two criminal antecedents and he orally submits that 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. The petitioner is not the owner of the said Bolero vehicle. The petitioner is not in any way connected with the alleged occurrence. 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.

5. The learned A.P.P. for the State opposed 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



Judge, Excise Court No.-I, Siwan in connection with Jiradei P.S.
Case No. 190/2024, subject to the conditions as laid down under
Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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