

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32051 of 2025**

Arising Out of PS. Case No.-13 Year-2025 Thana- YADOPUR District- Gopalganj

Sushil Yadav S/o Ramnath Yadav Resident of Village- Dharampur, P.S.-  
Jadopur, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Adesh Raj, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      20-05-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Yadopur P.S. Case No. 13 of 2025 registered for the alleged offence under Section 30(a) of Bihar Prohibition & Excise Act.

03. As per prosecution case, police received secret information about petitioner and two other co-accused persons bringing illicit liquor and storing it at the banks of river Gandak. A raid was conducted and the police found three persons running away from there leaving one gunny bag each after throwing it from their heads. Police tried to apprehend them but they fled away. One of the persons was identified as this petitioner by the local *Chowkidar*. From the search of the gunny



bags, recovery of 135 liters of country made liquor was made.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. No recovery of any incriminating article has been shown from the person or possession of the petitioner. No offence under the provisions of Bihar Prohibition & Excise Act is made out against the petitioner, who is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been made from the petitioner 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 bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII-cum-Special Judge, Excise Court-I, Gopalganj/court concerned in connection with Yadopur P.S. Case No. 13 of 2025, subject to the condition laid down under Section 482(2) of BNSS 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.

(Arun Kumar Jha, J)

Ashish/-

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