

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33142 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- ASANWA District- Siwan

Shambhu Yadav S/o- Hari Kant Yadav Resident of village- Sahasaraw, PS-
Asawn Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Adv
For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Asawn P.S.

Case No. 13 of 2025 registered for the offences punishable

under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 50.200 litres of IMFL/country made

liquor.

4. Learned counsel appearing on behalf of the



petitioner submitted that on the basis of disclosure as made by apprehended co-accused namely Mukesh Paswan the name of petitioner transpired with the present case. It is submitted that recovery of illicit liquor not appears to be made from the physical possession of this petitioner. It is further submitted that petitioner found involved in five more cases, where two cases are of similar nature and petitioner is on bail in all five cases.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie, not appears from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special Excise Court No. 1, Siwan/concerned Trial Court where the



case is pending in connection with Asawn P.S. Case No. 13 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS, with further condition:-

(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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