

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32803 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- Mabbi District- Darbhanga

Mithu Kumar Yadav @ Durganand Yadav S/o Dip Narayan Yadav @ Dipu
Yadav Resident of Village- Nehalpur, P.S.- Mabbi, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner apprehends arrest in a case registered
under Section 30(a) of Bihar Excise Act.

3. As per the prosecution, there is recovery of 69 litres
of foreign liquor kept behind the Bhuiya Sthan community
house, village-Nehalpur. The allegation against this petitioner is
that he fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to one criminal antecedent. The petitioner was neither
present at the place of occurrence nor the seized liquor belongs
to the petitioner. The alleged recovery has been made from an
open place easily accessible to anyone. Petitioner is a young boy



of 22 years and he undertakes to cooperate in the investigation and the trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge-I (Excise Act), Darbhanga in connection with Mabbi P.S. Case No. 11 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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