

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38662 of 2025

Arising Out of PS. Case No.-56 Year-2022 Thana- KAJRAILI District- Bhagalpur

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Ankit Yadav @ Ankit Kumar Agarwal Son of Vishambher Yadav Resident of
Village- Khorabartar, Telwa, P.S.- Mahishi, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends arrest in connection with
Kajraili P.S. Case No. 56 of 2022, registered under Sections
30(a), 32(i)(ii), 36 and 41 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 40.50 liters
liquor was recovered from car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel



for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Bablu Kumar and the same has got no evidentiary value. It is next submitted that the petitioner is neither owner nor driver of the car in question. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 01.05.2025 passed in Cr. Misc. No. 27775 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kajraili P.S. Case No. 56 of 2022, subject to the conditions as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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