

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40470 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- MADHWAPUR District- Madhubani

Raushan Kumar son of Shatrughan Yadav village- Raghuali, Ps- Bisfi, Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Kumar Jha

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Madhwapur P.S. Case no. 37 of 2025 instituted for the offence under Sections 274, 275 of BNSS and 30(a) of the Bihar Prohibition of Excise Act.

3. Prosecution case relates to recovery of 13.32 litres Nepali Saufi liquor from a scooty which was kept beneath the seat and one one person namely Ankush Kumar Yadav was apprehended on spot.

3. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern with the



alleged recovery rather he has been implicated in this case only because he is registered owner of the scooty. On good faith he has given his scooty to his co-villager because of some medical emergency. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

4. Learned APP appearing for the State has opposed the prayer of Bail.

5. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with G.R. No. 438 of 2025 arising out of Madhwapur P.S. Case No. 37 of 2025, he will be enlarged on 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 District & Additional Sessions Judge-II-cum-Special Judge (Excise Act) Madhubani subject to the conditions as laid down under section 482 of the BNSS.

(S. B. Pd. Singh, J)

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