

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37016 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- CHANDI District- Bhojpur

=====

Lal Babu Yadav @ Lal Babu Kumar S/o- Sakel Yadav Village- Bisunpura P.S-
Chandi District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandan Kumar

For the Opposite Party/s : Mr. Shaheen Begum

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-06-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Chandi Police Station Case No. 40 of 2025,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. As per the FIR, the police party on 07.03.2024
while patrolling duty got a secret information that near the bank
of river Son, two persons were carrying liquor. Upon this
information, the police arrived at the place of occurrence and
upon seeing the police party, two persons carrying plastic bags
in their hands started fleeing away after throwing the plastic
bags. The police chased the accused persons and one person
namely Dipu Yadav was arrested who disclosed the name of the



person who succeeded in fleeing away as Lal Babu Yadav i.e., petitioner. The police recovered altogether 40 liters of illicit mahua liquor from the bags thrown by the accused persons.

4. Learned Counsel for the petitioner submits that the petitioner is having no criminal antecedent and he has falsely been implicated in this case on the basis of disclosure of his name by the arrested co-accused Dipu Yadav. The illicit liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and the illicit liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Bhojpur at Ara, in connection with Chandi Police



Station Case No. 40 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

