

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37622 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- WARISNAGAR District- Samastipur

Awadhesh Kumar @ Bittu Yadav @ Bitu Yadav S/O Akhilesh Ray @ Akhlesh Yadav R/O village - Bawanghat , Police Station - Warisnagar , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Adv.

For the Opposite Party/s : Mr. Sanjay Kr. Singh, APP

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

2 20-06-2025 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 Warisnagar P.S. Case no. 90 of 2025 instituted for the offence under Section 30 (a) of the Bihar Prohibition of Excise Act.

3. Prosecution case relates to recovery of 270.24 litres of illicit IMFL from a maize field and four persons were identified by the local person while fleeing away including the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the land in question. The name of the petitioner has been disclosed in this case by the local people



before the police, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

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

6. 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 Warisnagar P.S. Case no. 90 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 Special Excise Court-II, Samastipur or the concerned court subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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