

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41589 of 2025

Arising Out of PS. Case No.-577 Year-2024 Thana- MANER District- Patna

Kamlesh Yadav S/O Gorakh Yadav Resident of Village-Soniyawan, P.S.-
Dulhin Bazar, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd. APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 04-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Maner P.S. Case no.577 of 2024 registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 527.25 liters of illicit
liquor was recovered from a white colour Pick-up van bearing
Registration No. BR01GM2581.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R and cause of his false
implication is only for the reason that he happens to be the
registered owner of the seized van. No recovery has been made
from the physical conscious possession of the petitioner. He further
submits that he had already sold the said van to one Pramod



Kumar and the agreement of sale dated 06.10.2023 has been brought on record as Annexure-P/2 to the supplementary affidavit. There is violation of mandatory provisions of search and seizure as no independent witness is there to the seizure list. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Maner P.S. Case no.577 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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