

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42273 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- BENIPATTI District- Madhubani

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Amod Yadav @ Amod Kumar Yadav Son of Saukhi Yadav Resident of
Village- Agropatti, P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Asha Kumari

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

ORAL ORDER

2 17-07-2025 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

a case instituted for the offence punishable under Section

30(a) of Bihar Prohibition & Excise Act.

3. Prosecution case relates to recovery of 3537.360

litres Indian Made Foreign Liquor from a Truck bearing

Reg. No. JH-02V-3331. Petitioner was alleged to have

fled away from the place of recovery.

4. Learned counsel appearing on behalf of the

petitioner has submitted that petitioner is innocent and



has committed no offence. He has no concern with the alleged recovery or with the vehicle in question. The name of petitioner sprang up in this case on the disclosure of local Chowkidar as a person who fled away from the place of seizure. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Moreover, proper procedure of search and seizure has not been followed in this case.

5. Learned A.P.P. for the State has vehemently 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 Benipatti P.S. Case no. 67 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 Exclusive Special Judge, Excise
Court, Madhubani, subject to the conditions as laid down
under section 482 of BNSS.

(S. B. Pd. Singh, J)

Nirajkrs/-

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