

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47052 of 2025

Arising Out of PS. Case No.-305 Year-2024 Thana- Daudnagar Excise District- Aurangabad

Yogendra Kumar S/o Tapeswar Singh, R/o Vill- Harna, P.S.- Mehendiya,
District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 01-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Excise Daudnagar P.S. Case No.305 of 2024 instituted under Sections 30(a) & 32(3) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 30 liter *desi mahua* liquor from the Hero Splendor Plus motorcycle which belongs to petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being the owner of motorcycle. He further submits that petitioner had already sold the seized vehicle to one Amresh Saw on 21.01.2021 which is much before the occurrence and in this regard, he has attached sale letter and the required affidavit at Annexure- P/3 to the bail application. Learned counsel



submits that petitioner has no knowledge about the misuse of the said motorcycle which was driven by the co-accused. He further submits that petitioner has no concern with the seized illicit liquor and nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge Excise, Court No.2, Aurangabad in connection with Excise Daudnagar P.S. Case No.305 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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