

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43836 of 2025

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

Nand Jee Yadav Son of Shivjee Yadav Resident of Village- Doghra Tola, P.S.-
Bihiya, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Bahoranpur P.S. Case No. 40 of 2025 lodged on 28.03.2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 19.08 litres of foreign liquor has been made which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the petitioner's possession and the alleged recovery has been made from a vehicle. Counsel submits that the petitioner is the owner of the said vehicle and only due to this reason, petitioner's name has



figured in this case. Counsel submits that the petitioner gave his vehicle to co-accused person to bring necessary things from the market but he was unaware about the fact that what is loaded in his vehicle. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that from the record, it transpires that the petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Exclusive Special Judge Excise Court no.1, Bhojpur at Ara, in connection with Bahoranpur P.S. Case No. 40 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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