

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45956 of 2025

Arising Out of PS. Case No.-98 Year-2023 Thana- BAUNSI District- Banka

Ramesh Kumar Yadav, son of Agamlal Yadav, Village- Murliganj, Ward no 14, PS and District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 04-08-2025 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bounsi P.S. Case No. 98 of 2023 registered under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018 on 09.04.2023.

3. As per the prosecution case, 126 liters of different brands of foreign liquor were recovered from a TIAGO bearing Registration No. BR-43W-9868.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR, but his name has transpired in this case on the ground that he is the owner of the said vehicle. There is no independent witness of the seizure list, and hence mandatory provision of search and seizure has been



violated. It has been further submitted that the vehicle had been given to a friend, namely, Shanker Paswan for his personal work, and he had no knowledge that the same had been put to illegal use. Petitioner has no criminal antecedent.

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

6. In view of the 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 Bounsi P.S. Case No. 98 of 2023 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 Exclusive Special Excise Court-1, Banka, 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)

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