

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43858 of 2025

Arising Out of PS. Case No.-153 Year-2025 Thana- Excise P.S. District- Aurangabad

Shivdayal Yadav S/o- Vijay Yadav Village- Bhaduki Khurd, Arthu, PS-
Kasma, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, 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 Excise P.S. Case No. 153 of 2025 lodged on 08.02.2025, for the offence punishable under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 20 litres of country made 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 conscious possession of the petitioner and he was also not present at the place of occurrence. Counsel submits that the name of petitioner



has figured in this case only on the basis of suspicion. 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 Special Judge, Excise-II, Aurangabad, in connection with Excise P.S. Case No. 153 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

Divyansh/-

U		T	
---	--	---	--

