

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46353 of 2025

Arising Out of PS. Case No.-428 Year-2021 Thana- DAUDNAGAR District- Aurangabad

Sipahi Yadav @ Sipahi Singh S/o Vipat Yadav R/o Village- Uchkundha, P.S.-
Daudnagar, Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 34 and 36 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 3300 litres of illicit liquor was recovered from four different vehicles.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is neither owner nor driver of the vehicles in question and has been made an accused in this on the basis of confessional statement of apprehended co-accused persons. Nothing has been recovered from the conscious possession of this petitioner. Petitioner has got one criminal



antecedent of similar nature in which he is already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge of Excise-II, Aurangabad in connection with Daudnagar P.S. Case No. 428 of 2021, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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