

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47259 of 2025

Arising Out of PS. Case No.-1 Year-2024 Thana- KALYANPUR District- Samastipur

Sachin Kumar @ Sachin Yadav S/O Dinesh Yadav R/O Village- Darsur, ward No.03, P.S - Warisnagar, District - Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Anish Chandra, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending arrest in connection with Kalyanpur P.S. Case No. 01 of 2024 lodged on 01.01.2024, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. Total recovery of 8.250 litres of illicit 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 the name of petitioner has



figured in this case by virtue of the confessional statement of the co-accused namely, Pappy Yadav who was apprehended. Counsel submits that the recovery of alleged liquor has been made from a vehicle which does not belong to the petitioner. 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 Excise Judge-I, Samastipur, in connection with Kalyanpur P.S. Case No. 01 of 2024, 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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