

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51759 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- BRAHMPUR District- Buxar

Sanjay Yadav S/o Hari Shankar Yadav @ Jhula Vill.- Balua, PS- Barahampur,
District- Buxar Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Ms. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Brahmpur P.S. Case No. 82 of 2025 instituted for the
offences under Sections 30(a) and 41 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 422.46
litres of liquor was recovered from Car and Bush.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
The name of the petitioner transpired in this case on the basis of
disclosure of apprehended co-accused person and local
chowkidar. Learned counsel further submitted that petitioner is
neither the owner nor the driver of the vehicle. The petitioner
has got no concern with the alleged recovery of liquor. Learned



counsel for the petitioner, therefore, contends that prima-facie no case is made out against the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Other co-accused has been granted regular bail by this Court vide order dated 10.07.2025 passed in Cr. Misc. No. 43572 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Brahmpur P.S. Case No. 82 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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