

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52618 of 2025

Arising Out of PS. Case No.-382 Year-2023 Thana- BAHERA District- Darbhanga

Sunil Yadav S/o Phulanarayan Yadav R/o Village - Kalyanpur, P.S - Bahera,
District Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Bahera Police Station Case No. 382 of 2023, disclosing offences under Section 30(a) of Bihar Prohibition and Excise Amendment Act.

3. The prosecution case, as per the First Information Report, is that on 01.10.2023, the informant got the secret information regarding trade of liquor from the house of the petitioner situated in village Kalyanpur. The informant reached near the house of the petitioner and saw that a woman and a man were preparing something on the stove. On seeing the police, both the accused persons tried to flee away from there, but the lady was apprehended and the petitioner succeeded in



fleeing away. On search, the police recovered total 10 litres of country-made liquor along with some apparatus including utensils for preparation of liquor from the house of the petitioner.

4. Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged. From perusal of the seizure list, it appears that the recovery has been made from the house of the co-accused Sundrika Devi who was arrested from the spot by the police. Petitioner is the husband of Sundrika Devi and has been made accused merely because he lives with his wife in the same house.

5. Regards being had to the submissions made by the parties and taking into consideration the seizure list and the recovery is from the house of the co-accused Sundrika Devi, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Exclusive Special Judge-II, (Excise Act), Darbhanga, in connection with Bahera Police Station Case No.



382 of 2023, subject to the condition laid down under Section
482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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