

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53461 of 2025

Arising Out of PS. Case No.-141 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Lal Babu Yadav, S/O Ramakant Yadav, Resident of Village- Sipahiya, P.S.-
Bisambharpur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kuchaikote P.S. Case No. 141 of 2025 for the offence registered
under Sections 317 (5), 3(5) of the BNS and Section 30(a) of
Bihar Excise Amendment Act.

3. As per the prosecution case, 22.800 litres of country
made liquor was recovered from the motorcycle. The
apprehended co-accused disclosed the name of the petitioner
along with other co-accused that they are also involved in the
business of illicit liquor on stolen motorcycle.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Petitioner has no concern with the seized motorcycle or
liquor. Petitioner was neither present on the spot nor any



incriminating article have been recovered from the conscious possession of the petitioner. Except the disclosure statement made by the co-accused, there is no material against the petitioner. Petitioner has two criminal antecedents but the same does not belong to excise Act. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-IV-cum-Special Excise Court No.-II, Gopalganj, in connection with Kuchaikote P.S. Case No. 141 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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