

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57034 of 2025

Arising Out of PS. Case No.-214 Year-2025 Thana- KOTWA District- East Champaran

Raj Kumar Yadav S/o Kishundev Yadav R/o Village- Jagir Karariya, P.S.-
Kotwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Shaswat, Adv

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Sections 30(a), 32, 41(1) of Bihar Prohibition & Excise Act.

3. As per the prosecution case, 129.600 litres of illicit foreign liquor was recovered from the *Bathan* of the petitioner. The petitioner fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has been disclosed by the local *Chaukidar*. Further submission is that petitioner was not present on the spot and he has no concern with the illicit seized liquor. He further submits that the alleged recovery is from the open



place which is accessible to public at large. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent in which, he is on bail. 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 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 Special Judge, Excise Court No.-1, Motihari, East Champaran, in connection with Kotwa P.S. Case No. 214 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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