

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58249 of 2025

Arising Out of PS. Case No.-435 Year-2025 Thana- Excise P.S. District- Siwan

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Dhananjay Kumar Yadav @ Dhananjay Yadav S/o Hardev Rai Resident of
village - Dipau, P.S.- Kotwa, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Harsha Shashwat, Advocate

For the Opposite Party/s : Md. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-09-2025 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) and 32(3) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, there is recovery of
432 litres of illicit foreign liquor from the Truck bearing Reg.
No. HR37-C-5990. The driver of the said truck, namely, Ajay
Kumar Yadav, apprehended on the spot who disclosed that the
said truck belongs to the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case being the owner of the seized vehicle. Further submission
is that petitioner had given his truck to the apprehended co-
accused on rent and an agreement made between them that co-



accused shall use the said vehicle for a particular period and do not misuse the same but without knowledge and consent of the petitioner, his vehicle was being used for transportation of illicit liquor. It is submitted that petitioner has no concern with the seized illicit liquor and nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and he 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 Court concerned in connection with Siwan Excise P.S. Case No. 435 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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