

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.60586 of 2025

Arising Out of PS. Case No.-359 Year-2025 Thana- ARA NAGAR District- Bhojpur

Ramesh Yadav @ Baul Yadav @ Rameshyadav S/O- Lali Yadav Resident of
Mohalla- Gola Mohalla, P.S.- Ara Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 08-10-2025 1. 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 Ara Town Police Station Case No. 359 of 2025,
disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2022.
3. As per the prosecution case, police got a secret
information that petitioner has hidden foreign liquor near his
house and is selling it secretly. Upon this information, the police
arrived at the place of occurrence and saw that a person carrying
a bag in his hand, on seeing the police, kept the bag under the
stairs of the house and started running away. The police



recovered the bag from under the staircase of the house and 6.3 liters of foreign liquor was found kept in the bag.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case by the police due to oblique motive. In the seizure list, in column no. 3, it has not been shown that the recovery has been made from under the staircase of the house of the petitioner. There is contradiction between the statement made in the FIR and the seizure list.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the column no. 3 of the seizure list where description of the place from where the recovery was made is blank, 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 Excise Court-I, Bhojpur, Ara, in connection with Ara Town Police Station Case No. 359 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal



Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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