

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60848 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- MALAHI District- East Champaran

Byas Yadav @ Vyas Yadav S/O Bharat Yadav Resident of Village- Balganga,
P.S.- Raghunathpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr./Ms. Pronoti Singh, APP

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 instituted
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 8.640 litres of Indian made foreign
liquor from a motorcycle and it is alleged that the petitioner
managed to flee away from the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case merely on the basis of suspicion. Petitioner is neither
owner of the motorcycle in question nor he has any concern
with the seized illicit liquor. Nothing has been recovered from
conscious possession of the petitioner. There is no independent
witness of the seizure list. Petitioner has no criminal antecedent



and he undertakes to cooperate in the investigation and the 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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Malahi P.S. Case No.167 of 2025, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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