

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60313 of 2025

Arising Out of PS. Case No.-190 Year-2025 Thana- MANJHI District- Saran

Ashok Yadav @ Ashok Kumar Yadav S/O Jimdar Yadav @ Jamidar Yadav
R/O Village- Shrinagar, Nayi Basti, P.S- Rewati, Distt.- Balia (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Manjhi P.S. Case No. 190/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 7.92 liters foreign liquor from the dickey of Grand Vitara vehicle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He orally submits that the petitioner is not named in the FIR and his name has been surfaced in this case during course of investigation as the owner of the said vehicle. He



further submits that the petitioner is a bona fide trader as is evident from Annexure-2 of the bail petition. He orally submits that someone has misused the said vehicle and the petitioner has falsely been implicated in this case. The petitioner bears one criminal antecedent in which he is on bail. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner is not in any way connected with the alleged occurrence. Seizure list has not been prepared as per law. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned 2nd Exclusive Special
Excise Judge, Saran at Chapra in connection with Manjhi P.S.
Case No. 190/2025, subject to the conditions as laid down under
Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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