

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62415 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- KHAJAULI District- Madhubani

Suresh Yadav S/O Niranjan Yadav R/O Village- Kasma Marar, Ward No. 8,
P.S.- Khajauli, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-09-2025 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 Khajauli Police Station Case No. 121 of 2025, dated 21.06.2025, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 (hereinafter referred to as 'the Act').
3. The prosecution story, as per the First Information Report, is that on 21.06.2025, on secret information, the police reached near the house of the petitioner at village Kasma Marar, P.S. Khajauli, where one person, on seeing the police party, fled away. During search, 315 litres of Nepali liquor was recovered from the bush situated at the backside of the petitioner's house.



4. Learned counsel for the petitioner submits that the petitioner is having clean antecedent and has not committed any offence in the manner alleged. The petitioner has been made accused on the basis of disclosure of his name by the local chowkidar. He further submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or premises belonging to him, rather, the same has been recovered from bush situated behind the house of the petitioner, which is open space and is accessible to all and sundry.
5. Regards being had to the submission made by the parties and taking into consideration the fact that the petitioner is not having any criminal antecedent, illicit liquor has been recovered from bush near the petitioner's house which is open space accessible to all and sundry, 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 the learned Exclusive Excise Judge,



Excise, Madhubani, in connection with Khajauli Police Station Case No. 121 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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