

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62216 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- SINDHUGAR District- Gaya

Sanjay Yadav S/o Lakhani Yadav Resident of Village- Kewala Tola,
Masoundhi, P.S. - Mohanpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Chandra Sen Prasad 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 Sindhugarh Police Station Case No. 80 of 2025, dated 05.07.2025, 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 05.07.2025, the police, on secret information, intercepted a motorcycle loaded with illicit liquor. On seeing the police, the riders of the vehicle started fleeing away, but one person, namely, Basant Kumar, was apprehended, who disclosed the name of the petitioner. Upon search, 40 litres of country-made liquor was



recovered from the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case due to oblique motive. He next submits that the name of the petitioner transpired on the basis of confessional statement of arrested co-accused Basant Kumar. He further submits that the motorcycle, in question, does not belong to the petitioner and illicit liquor has not been recovered from the conscious possession of the petitioner and/or from the vehicle belonging to him and he has no concern with the illicit liquor. The petitioner has got no criminal antecedent.
5. Regards being had to the submission advanced by learned counsel for the parties and taking into consideration the fact that the petitioner has got no criminal antecedent, his name transpired on the basis of confessional statement of arrested co-accused person, and the petitioner is not the owner of the motorcycle, from where illicit liquor has been recovered, 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 Court No. 5, Gaya, in connection with Sindhugarh Police Station Case No. 80 of 2025, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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