

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65056 of 2025

Arising Out of PS. Case No.-353 Year-2025 Thana- EXCISE KAHALGAON District-
Bhagalpur

=====

Ajit Kumar Yadav S/o- Late Ramnath Yadav Vill- Ramjanipur PS- Shiv
Narayanpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-09-2025 Heard Mr. Rajive Ranjan Singh, learned counsel for
the petitioner and Mr. Md. Shakir Ahmad, learned APP for the
State.

2. The petitioner apprehends his arrest in connection
with Excise (Kahalgaon) P.S. Case No. 353/ 2025 dated
11.07.2025 registered for the offence(s) punishable under
Section(s) 30(a) of the Bihar Prohibition & Excise Act.

3. The main submissions advanced by the petitioner's
counsel are that the petitioner bears no criminal antecedent, as
per the allegation, a total 1.500 litres of country-made liquor
was recovered from a motorcycle and the petitioner has been
made accused mainly on the basis of being registered owner of
the motorcycle. It is further submitted by the petitioner's
counsel that the petitioner had no knowledge about the alleged
recovery and the alleged motorcycle from which the illicit
liquor is said to have been recovered was taken away by his
brother-in-law for necessary work, so, the petitioner's prayer is
not hit by the provisions of section 76(2) of the Bihar



Prohibition & Excise Act as the materials upon which the prosecution's allegation is based against this petitioner do not attract the commission of the alleged offence, even prima facie, against this petitioner.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case as well as considering the above stated facts and coupled with the petitioner's fair and clean antecedent, this court is inclined to grant the relief of anticipatory bail to him. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Excise (Kahalgaon) P.S. Case No. 353/ 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

BKS/-

U		T	
---	--	---	--

