

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65551 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- KHUTAUNA District- Madhubani

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Ajay Kumar Yadav S/O Isklal Yadav Village- Jatahi, PS- Khutauna, Distt-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratnakar Jha

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Khutauna P.S. Case No. 88 of 2025 registered for the offences punishable under Section 274, 275, 3(5) of BNS and section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 468 litre illicit liquor was recovered from the pickup van in question and co-accused Dinesh Kumar Yadav was apprehended on the spot and he disclosed the name of the petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Except disclosure of co-accused Dinesh Kumar Yadav, there is nothing on record to connect the petitioner with the alleged occurrence. Learned counsel



orally submits that petitioner has given his pickup van on rent and the said co-accused has misused the vehicle. Petitioner has no concern with the alleged recovery. Petitioner bears no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioner.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, 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 Special Judge (Excise) Act, Jhanjharpur in connection with G.R. No. 361 of 2025 arising out of Khutauna P.S. Case No. 88 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

vashudha/-

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