

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69637 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- Roshna District- Katihar

1. Sonu Yadav @ Sonu Kumar Yadav S/o Achhelal Yadav R/o Village- Bara Bazar, P.S.- Nagar, District- Katihar
2. Pukar Yadav S/o Achhelal Yadav R/o Village- Bara Bazar, P.S.- Nagar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehends their arrest in connection with Roshna P.S. Case No. 43 of 2025, instituted for the offence under Sections 30(a) and 30(b) of the Bihar Prohibition and Excise Act.

3. On getting secret information regarding transportation of illicit liquor in a Scorpio vehicle, police party intercepted the said vehicle in which one person was sitting. On search, total 408.42 litres of illicit liquor was recovered from the said Scorpio vehicle. The apprehended person, namely, Raj Kumar Mandal disclosed the name of petitioners as owner of the



said vehicle.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case at the disclosure of apprehended co-accused due to previous enmity. Nothing has been recovered from possession of the petitioners. Petitioners were not apprehended on the spot. Petitioners have no concern either with the seized liquor or with the said Scorpio vehicle. There is violation of Section 103 of the B.N.S.S. in preparation of seizure-list. Petitioner No. 1 has two criminal antecedents out of which one case belongs to Excise Act and Petitioner No. 2 has one criminal antecedent which is not of similar nature. They undertake to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the Petitioners, above-named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned District Additional and Sessions Judge,



Exclusive Special Excise Court II, Katihar in connection with
Roshna P.S. Case No. 43 of 2025, subject to the conditions laid
down in Section 482 (2) of the Bhartiya Nagrik Suraksha
Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J.)

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