

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71202 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- KATORIYA District- Banka

Chhotu Kumar @ Chhotu Yadav S/o- Late Gulo Yadav Village- Kagisar PS-
Katoriya Distict- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-10-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Katoriya P.S. Case no. 252 of 2024 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the motorcycle of the petitioner was being driven by co-accused Deewakar Yadav, when on search being conducted by the police, 43.125 litres of IMFL was recovered.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. He has been falsely implicated in the case only for the reason that he happens to be the registered owner of the vehicle, which at the time of seizure was being driven by Deewakar Yadav, who was taken into custody. The petitioner



has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., no incriminating article having been recovered from the petitioner's possession, the reason for implication of the petitioner being that he happens to be the registered owner of the vehicle from which the seizure is said to have taken place and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Katoriya P.S. Case no. 252 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Exclusive Excise Court-2, Banka.

(Partha Sarthy, J)

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