

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73012 of 2025

Arising Out of PS. Case No.-370 Year-2022 Thana- BAKHTIYARPUR District- Patna

Napo Yadav @ Sanjeet Kumar S/o Ram Nihori Prasad R/o Vill- Misi, P.S-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, on 09.08.2022, during Moharram patrol, police received information that liquor was being transported by Ghutar @ Madan Mohan Prasad and Napo Yadav in a Ford vehicle (WB02Y 1594) and a black Passion Pro motorcycle (BR01BK 4285). When the police reached near the community hall at 4:00 PM, the two accused fled, leaving the vehicles behind. Upon search in the presence of independent witnesses, a total of 829.44 liters of foreign liquor was recovered from the community hall and 258.84 liters from the



vehicle.

4. Learned counsel for the petitioner submits that the seized liquor was recovered from Samudyik Bhawan as well as from the motorcycle which does not belong to this petitioner and further, the Samudyik Bhawan is an open space accessible to general public and in that background, such liability cannot be fastened upon this petitioner. However, learned counsel for the petitioner fairly submits that he has four criminal antecedent out of which two are akin to the instant case which is said to have been registered in 2018 and 2024 in which he is on bail in the said cases.

5. Without accepting the guilt, learned counsel for the petitioner proposes to deposit Rs.10,000/- in the welfare account of the Advocate Association of the Patna High Court.

6. Learned APP for the State opposes the prayer for anticipatory bail application.

7. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

8. Let the petitioner, above named, be released on



anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today 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 Barh District Patna in connection with Bakhtiyarpur P.S. Case No. 370 of 2022 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023 and on production of the receipt showing deposit of Rs. 10,000/- as proposed on behalf of the petitioner.

(Ajit Kumar, J)

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