

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72118 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- GHOGHARDIHA District- Madhubani

Uma Kant Kumar Yadav @ Umakant Kumar Yadav @ Himanshu S/O Satish Kumar Yadav @ Satish Prasad Yadav R/O Village- Kupha, P.S- Ghoghardiha, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-10-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Ghoghardiha P.S. Case No. 133 / 2025 dated 22.08.2025 corresponding to G.R. No. 509 of 2025 registered under Section 274, 275, 317 (5) of the BNS and Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the F.I.R. on 22.08.2025 the Police party during evening patrolling duty intercepted two persons riding on a motorcycle bearing registration no. BR50T9956 and apprehended Dilip Kumar and Suman Saday. Upon search, Police recovered 10 liters of country made liquor from a white colour sack kept on the seized motorcycle. It is further alleged that the arrested co-accused disclosed the name of the petitioner



as the person who fled away leaving another motorcycle bearing registration no. HR98C6532 at the place of occurrence from which 50 liters liquor was recovered.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of disclosure of his name by arrested accused person. He further submits that on the alleged date of occurrence petitioner's friend Sudesh Yadav demanded the key of motorcycle of the petitioner for going to Ghoghardiha for the purpose of treatment of his mother and the petitioner had no knowledge that his vehicle is being used by his friend for illegal trade of liquor. He next submits that illicit country made liquor has not been recovered from the conscious possession. The petitioner has no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration justification given by the petitioner that motorcycle was borrowed by his friend and the petitioner has no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

6. 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 Special Judge, Excise Act, Jhanjharpur, District- Madhubani in connection with Ghoghardiha P.S. Case No. 133 / 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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