

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71992 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- Amhara P.S. (I.I.T.A. Bihta) District-
Patna

Shivshankar Yadav @ Shivshankar Kumar @ Shankar Yadav S/O Sri Kishori
Ray @ Kishori Yadav Resident of Village- Daulatpur, P.S.- IIT Amhara,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 15-10-2025 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in a case registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the FIR, the police received a secret message and to verify the same, they went to the hay house of the petitioner and on search, 22.500 litres of illicit beer was recovered from the hay house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is entirely innocent and has been falsely implicated in the instant case solely on the basis of suspicion. It is further submitted that the seized liquor was recovered approximately 100 meters before the railway line, and the petitioner is in no way connected to the seized articles. Lastly, the petitioner has



no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. 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.

7. 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 Excise Judge, Danapur in connection with IIT Amhara P.S. Case No.138 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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