

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71994 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- BELHAR District- Banka

Fantush Kumar Yadav @ Chandrahas Yadav @ Chandrash Yadav Son of
Vrish Yadav Village - Sangrampur, P.S. - Sangrampur, District - Munger.

... .. 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. Ramesh Chandra, APP

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 (Amendment) Act, 2022.

3. As per the FIR, the informant received secret information regarding an illegal liquor distillery. Upon arrival, a person manufacturing liquor attempted to flee but was not apprehended. Police recovered 115 liters of illicit liquor, and the petitioner was said to have been identified by local people.

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. No recovery was made from the conscious possession of the petitioner. It is further submitted that the alleged recovery was made from a forest, which is an open place accessible to all. 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 of 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 Exclusive Special Judge, Excise Court-1, Banka in connection with Belhar P.S. Case No.52 of 2025 subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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