

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72351 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- Bankebazar District- Gaya

Sakesh Yadav @ Saket Yadav @ Rakesh Kumar S/O Sahdev Yadav R/O
Village- Kosmahi, PS- Huntarganj, District- Chatra, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar, Advocate Mr. Mahendra Thakur, Advocate
For the Opposite Party/s	:	Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-10-2025

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 Bankebazar P.S. Case no. 59 of 2025, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on being stopped by the police personnel, while 90 litres of liquor was recovered and one accused Chhotu Kumar was arrested, another accused managed to escape. The accused who was arrested disclosed the name of the person who had managed to escape as the petitioner herein.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. He has no concern with the seized article nor with



the motorcycle in question. The only material against him is the statement of a co-accused made before police and the reason for his false implication are his antecedents.

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, the petitioner not having been arrested at the spot, no incriminating article having been recovered from his possession and the only material against the petitioner being the statement of a co-accused made before the police, in the facts of the case, 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 Bankebazar P.S. Case no. 59 of 2025 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 Exclusive Special Excise Court no.-3, Gaya.

(Partha Sarthy, J)

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