

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86100 of 2024

Arising Out of PS. Case No.-205 Year-2024 Thana- BHORE District- Gopalganj

Bullet Yadav S/o- Shrikishun Yadav Village- Luhasi Chhotki Luhasi PS-
Bhorey Distt-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Bhorey P.S. Case no.205 of 2024 registered under section
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. From a perusal of the F.I.R and the seizure list it
appears that there is recovery of 261 liters of country made
liquor from a car. Two persons were apprehended at the spot,
namely, Ashish Shukla and Kundan Kumar.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The name of
the petitioner has transpired only on the confessional statement
of accused Ashish Shukla and Kundan Kumar who were
apprehended at the spot and they stated that the seized liquor
belonged to the petitioner. No recovery has been made from



physical or conscious possession of the petitioner. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that the petitioner has been earlier made an accused in ten cases out of which nine are of similar in nature. However, learned counsel for the petitioner submits that the petitioner is on bail on all those cases.

6. In view of the entire facts and circumstances 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 Bhorey P.S. Case no.205 of 2024 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 Addl. District & Sessions Judge XIII-cum-Special Judge, Excise-I, Gopalganj, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(i) One of the bailors shall be the family member/relative of the petitioner.

(ii) The petitioner shall co-operate in the case.



(iii) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(iv) The petitioner would make himself present before the concerned Police Station at an interval of 15 days till the submission of the charge-sheet.

(Soni Shrivastava, J)

Harsh/-

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