

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80021 of 2025

Arising Out of PS. Case No.-168 Year-2025 Thana- R S P.S. District- Araria

Shankar Yadav S/O Ghanshyam Yadav Resident of village- Gidariya baijnath-
pur ward no. 16, Police station- Araria (R.S.) District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s: Mrs. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Araria R.S. P.S. Case No.168 of 2025 dated 09.09.2025, registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the FIR, 3.500 liters of foreign liquor is said to have been recovered from the house of the petitioner.

4.Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case solely on the basis of secret information. No recovery has been made from the constructive possession of the petitioner, and he has no connection with the recovered liquor. It is further submitted that the recovery was allegedly made from the joint family house, where several people reside. Lastly, it is



submitted that the petitioner has four prior criminal antecedents, in respect of which he is currently on bail.

5. Learned APP for the State opposed the prayer for anticipatory 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 constructive possession of the petitioner and petitioner is in no way connected with the seized liquor, 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 Excise Court-I, Araria, in connection with Araria R.S. P.S. Case No.168 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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