

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82642 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Ramanand Yadav Son of Anarudh Yadav Resident of Village- R/O of Mohalla- Naya Bazar, Ward No 02, Nagar Parishad Saharsa, P.S.- Saharsa Sadar, District-Saharsa, (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Saharsa Sadar P.S. Case No.65 of 2024, F.I.R dated 22.01.2024 registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, on 20.01.2024 at 11:45 p.m., Sriram Singh, SI-cum-SHO of Sadar Police Station, Saharsa, recorded his self-statement stating that he had received secret information about a tractor loaded with English liquor and hidden under chips/bricks in the premises of Sachin Tulsian. He, along with police personnel, reached the location



and found an unregistered Eicher tractor with a guard present, who confirmed that the premises belonged to Sachin Tulsiyan. In the presence of two police witnesses, the tractor was searched, and 487.7 litres of English liquor of various brands were recovered. A seizure list was subsequently prepared.

4. Learned counsel for the petitioner submits that the tractor in question was being driven by the driver, namely, Murari Chaudhary, at the time of inspection being made by the Police and driver is said to have been arrested from the spot with the seized articles. It has next been submitted that one Sachin Tulsiyan from Saharsa, hired the said tractor and at the time of incident, the vehicle was purely in the control of the driver, Murari Chaudhary, who was carrying the construction materials for Sachin Tulsiyan. It has further been submitted that the petitioner has clean antecedent and the mandatory provisions under the BNSS for search and seizure has also been violated.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

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 and / or premises belonging to the petitioner and the petitioner has clean



antecedent and is in no way connected with the seized articles, 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 Judge (Excise), Saharsa, in connection with Saharsa Sadar P.S. Case No.65 of 2024 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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