

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87347 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Devendra yadav @ Devendra Kumar Yadav S/p- Kalpanath Yadav @
Kalpnath Yadav Village- Tola Sipaya P.S- Bishambharpur Dist-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-01-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Vishambharpur/Bishambharpur Police Station Case
No. 149 of 2024, disclosing offences under Sections 30(a) of the
Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the FIR, police got the secret information
that petitioner is carrying liquor on a motorcycle intercepted the
motorcycle and the person driving the motorcycle fled away.
Police recovered 21 liters of country made liquor from the said
motorcycle.

4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case due to
oblique motive. The petitioner is neither the owner of the



motorcycle nor he was driving the motorcycle at the time of occurrence. Petitioner has been made accused on the basis of secret information.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that illicit liquor has not been recovered from the vehicle belonging to the petitioner and he is not the owner of the motorcycle, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge IV cum special Excise Court II, Gopalganj, in connection with Vishambharpur/Bishambharpur Police Station Case No. 149 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

