

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.600 of 2025

Arising Out of PS. Case No.-424 Year-2024 Thana- BANIAPUR District- Saran

SUKESH RAI @ SUKESH PRASAD YADAV S/O Ram Prasad Yadav @
Shree Ram Pd R/o vill - Chetan Chapra, P.s. - Baniapur, Distt.- Saran at
Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 30-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Baniapur P.S. Case no.424 of 2024 registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on seeing the police
party, the accused managed to escape, however, one accused
namely, Nandji Rai was arrested at the spot. On search, 10.08
liters of illicit liquor was recovered from his possession.

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 co-accused Nandji Rai who was arrested at the spot. Learned



counsel for the petitioner further submits that there was no independent witness to the seizure list and no recovery has been made from the physical or conscious possession of the petitioner. The petitioner has two criminal antecedents, however he is on bail in the said case. He 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 two criminal antecedents of the same nature.

6. In view of the above mentioned 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 Baniapur P.S. Case no.424 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 1st Special Judge Excise, Saran at Chapra, 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 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.

(Soni Shrivastava, J)

Harsh/-

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