

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86321 of 2025

Arising Out of PS. Case No.-777 Year-2025 Thana- Excise P.S. District- Aurangabad

Shyamlal Yadav Son of Late Khelavan Yadav Resident of Village- Ratikhap,
P.S.- Amba, District- Aurangabad, PIN - 824111

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2025 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 Aurangabad Excise Police Station Case No. 777 of 2025, disclosing offences under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Act.

3. The prosecution case, as per the First Information Report, is that on 25.07.2025, around 08:00 a.m, police received secret information that Rakesh Kumar Singh and Vikash Kumar were transporting illicit spirit in a red TATA Pic-up bearing Registration No. BR-02W-1064 from Madanpur to be unloaded near the Devi Mandir at Kunwar Bighah. When police party proceeded towards the place of occurrence, saw that two suspects were unloading plastic bags but managed to flee



due to adverse weather conditions. On search, total 1040 litres of spirit was recovered from the vehicle.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Petitioner is not named in the FIR. During the course of investigation, the name of petitioner has come due to ownership of the vehicle. Petitioner has no concern with the seized spirit. Learned counsel further submits that spirit has not been recovered from conscious possession of the petitioner. Petitioner is having no criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the fact that spirit which may be converted into spurious liquor endangering the life of general people, was recovered from the vehicle owned by the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the prayer for anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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