

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85948 of 2025

Arising Out of PS. Case No.-415 Year-2025 Thana- MANJHI District- Saran

Ashish Kumar Yadav @ Ashish Yadav Son of Dalan Yadav R/o Village -
Fatehpur Saraiya, P.S. - Manjhi, Distt. - Saran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2025 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 Manjhi Police Station Case No. 415 of 2025,
disclosing offence under Section 30(a) of Bihar Prohibition
and Excise Act.

3. The prosecution case, as per the First
Information Report, is that on 01.11.2025, at about 05:00
p:m, informant got secret information about hidden liquor
in Fatehpur Diyara. On such information, police party
proceeded towards the place of occurrence, conducted raid,
seized six white sacks, in which total 207.36 litres of
foreign liquor was recovered.



4. Learned Counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. On the basis of secret information, raid was conducted and recovery is made from Fatehpur Diyara. Recovery has been made from an open space which is accessible to all and sundry. The name of petitioner has come on the basis of secret information. Liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that recovery has made from an open space, accessible to all and sundry, liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner, 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 Court of 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Manjhi Police Station Case No. 415 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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