

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85957 of 2025

Arising Out of PS. Case No.-188 Year-2025 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Raja Yadav @ Sharvan Kumar S/o Raju Yadav @ Raj Kumar Yadav @ Rajo
Yadav R/o Village - Soynvarsha, P.S - Cheriya Bariyarpur, District -
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, A.P.P.

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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 Cheriya Bariyarpur Police Station Case No. 188 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 police got secret information that two persons
were transporting wine on a motorcycle near Vikrampur Pul.
Upon such information, police party proceeded towards the
place of occurrence and saw that two persons started to run
away on seeing the police party, leaving the bag behind. One
person was caught and identified as co-accused Bipin Kumar.



He named the person who fled as Raja Yadav (petitioner). On search of abandoned bag, total 22.50 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. The name of the petitioner has come on the discloser made by arrested co-accused Bipin Kumar. Petitioner has no concern with the seized liquor and motorcycle. Recovery has been made from the abandoned bag which does not belong to the the petitioner. Liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner. Petitioner is having no criminal antecedent.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent and the 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 Exclusive Special Excise Judge-1, Begusarai, in connection with Cheriya Bariyarpur Police Station Case No. 188 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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