

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4615 of 2025

Arising Out of PS. Case No.-146 Year-2023 Thana- SAHPUR District- Bhojpur

Laxman Yadav @ Sukhiya Yadav S/o Baij Nath Yadav R/o vill - Saiya Dera,
P.S. - Shahpur, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra, Adv

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-03-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Shahpur

(Karnamepur) P.S. Case No. 146 of 2023 registered for the

offences punishable under Section 30 (a) of the Bihar

Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, where,

there is recovery of 80.400 litres of IMFL/country made

liquor.



4. Learned counsel appearing on behalf of the petitioner submitted that recovery of alleged illicit liquor was admittedly made from an open field of one Raghuveer Singh, which is an open place and easily accessible by general public, therefore, it cannot be said that illicit liquor was recovered from the conscious physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor prima-facie not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, Excise Court-II, Bhojpur at Ara/concerned Trial Court where the case is



pending in connection with Shahpur (Karnamepur) P.S. Case
No. 146 of 2023 subject to the conditions as laid down under
Section 438(2) of the Cr.P.C./Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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