

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3277 of 2025

Arising Out of PS. Case No.-174 Year-2024 Thana- SRIPUR District- Gopalganj

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Balister Yadav @ Balister Yadav @ Barister Yadav S/o Vishundev Yadav R/o
Village- Karjaniya, P.O.- Bhopatpura, P.S.- Shreerampur, District- Deoria
(U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla
For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-02-2025 1. 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 Sripur Police Station Case No. 174 of 2024, dated
16.09.2024, disclosing offences under Sections 30(a) of
the Bihar Prohibition and Excise Act.
3. The prosecution case, as per the First Information Report,
is that on 16.09.2024, while on patrolling, the police
signaled one persons riding on a motorcycle to stop, but
he fled away leaving behind the motorcycle. Upon search
of the Honda Shine motorcycle, bearing UP52-AM-5193,
the police recovered total 19.44 liters of country made



illicit liquor.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case only because he happens to be the registered owner of the said motorcycle. He next submits that the motorcycle, from where illicit liquor has been recovered, was borrowed from his mother by one co-villager, namely, Nitesh Yadav for purchasing medicine, who succeeded in fleeing away from the place of occurrence and the petitioner had no knowledge about the illicit liquor being kept therein. The petitioner has got no criminal antecedent.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner happens to be the registered owner of the motorcycle, which was borrowed by co-villager Nitesh Yadav for purchasing medicine, 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) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge XIII -cum- Special Excise Court No. 1, Gopalganj, in connection with Sripur Police Station Case No. 174 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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