

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88427 of 2025

Arising Out of PS. Case No.-282 Year-2025 Thana- RAGHUNATHPUR District- Siwan

Rudal Yadav Son of Shiv Nath Yadav Resident of Village - Kausar Bagicha,
P.S. - Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Anupam, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Raghunathpur P.S. Case No. 282 of 2025 dated 04.11.2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, the police has recovered total 250 liters of illicit country-made liquor from the bush of Kali Mandir situated at village Shitalpur.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case merely due to highhandedness of the police. It has further been submitted that the recovery is said to have been made from the plastic bag, which was kept in the bush near



the Kali Mandir which is an open place, accessible to the general public. No prudent materiel is said to have been found by the prosecution to find the complicity of the petitioner in the alleged occurrence and merely because of his antecedent, he has been implicated in the present case. It has next been submitted that the petitioner has two criminal antecedents and, in both of them, he is on bail. There has been no recovery from the constructive possession of the petitioner and the petitioner has no concern with the seized liquor.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession of the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.II, Siwan in



connection with Raghunathpur P.S. Case No. 282 of 2025,
subject to the condition as laid down under Section 482(2) of
the BNSS, 2023.

(Ajit Kumar, J)

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