

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89097 of 2025

Arising Out of PS. Case No.-365 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

Surendra Yadav @ Surendra Yadav Prasad @ Surendra Prasad Yadav Son of
Sekhi Prasad Yadav Resident of Village - Jafarnagar, Police Station -
Muffasil, District - Munger (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection
with Sahebpur Kamal P.S. Case No. 365 of 2024 instituted
under Section 30 (a) of the Bihar Prohibition & Excise Act.

3. There is recovery of 5 litres country made liquor
from the motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The apprehended co-accused, who is son of the petitioner,
without the consent and knowledge of the petitioner had taken
the said motorcycle and misused the same. Petitioner has no
concern with the seized liquor. He is not involved in the trade of



illicit liquor. Petitioner has clean antecedent. Petitioner was not riding on the motorcycle in question. Except that petitioner is registered owner of the motorcycle, there is no material against him. Petitioner undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Judge II, Begusarai in connection with Sahebpur Kamal P.S. Case No. 365 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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