

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49679 of 2024**

Arising Out of PS. Case No.-207 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Bhim Kumar Yadav @ Bhim Yadav, aged about 36 years, Old, Male, S/o-  
Madan Yadav, R/O Village- Jiyadi Tola, P.S.- Jamo, Dist- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Adarsh Ranjan, Advocate

For the Opposite Party : Mr. Ajit Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      21-08-2024                      This matter has been listed under the heading ‘For  
Orders (on office notes)’.

2. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

3. The petitioner seeks bail in connection with  
Kuchaikote P.S. Case No. 207 of 2024 dated 13.05.2024  
registered for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise (Amendment) Act, 2022.

4. As per the prosecution case, total 288.500 litres  
illicit foreign liquor was recovered from Wagon-R vehicle on  
which the petitioner and the other co-accused Nagendra were  
found to be sitting. They fled away from the place of occurrence  
after seeing the police.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged foreign liquor was recovered from the dickey and under the middle seat of the car in question and nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner took lift from the driver who is the co-accused Nagendra of the vehicle in question and the petitioner had no knowledge about the illicit liquor kept in the said vehicle. It is further submitted that the co-accused Nagendra after seen the police, has stopped the said vehicle and went to attend the call of nature and in the meantime, police apprehended the petitioner alongwith the said car. The car in question does not belong to the petitioner. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 14.05.2024.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond



of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Exclusive Special Eccise Court-II, Gopalganj in connection with Kuchaikote P.S. Case No. 207 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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