

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64923 of 2024

Arising Out of PS. Case No.-233 Year-2024 Thana- BARHARA District- Bhojpur

Raja Kumar Yadav @ Raju Kumar Yadav S/o Manjee Yadav @ Manju Rai
R/o vill - Dubey Chhapara, P.S. - Barahara, Distt. - Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 70002 of 2024

Arising Out of PS. Case No.-233 Year-2024 Thana- BARHARA District- Bhojpur

Indal Yadav Son of Bhuteli Yadav Resident of Village- Paiga, PS- Barhara,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 64923 of 2024)

For the Petitioner/s : Mr.Raju Kumar Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

(In CRIMINAL MISCELLANEOUS No. 70002 of 2024)

For the Petitioner/s : Mr.Sameer Kumar

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-12-2024 **CRIMINAL MISCELLANEOUS No.64923 of 2024**

1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the



allegation is of recovery of 500 litres of liquor from a motorcycle and 300 litres of liquor from three different vehicles as detailed in the FIR, as such, 800 litres of liquor is alleged to have been recovered from four vehicles.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated at the instance of Chaukidar. It is also submitted that petitioner is not the owner of any of the seized vehicle and is in custody since 29.07.2024.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.1, Bhojpur at Ara in connection with Barahara P. S. Case No.233 of 2024.

7. The application stands allowed.

CRIMINAL MISCELLANEOUS No. 70002 of 2024

1. Heard learned counsel for the petitioner and learned APP for the State.



2. The petitioner seeks bail in a case registered for the offences punishable under Sections 303(2), 317(2) of BNS, 2023 and Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of six cases and the allegation is of recovery of 500 litres of liquor from a motorcycle and 300 litres of liquor from three different vehicles as detailed in the FIR, as such, 800 litres of liquor is alleged to have been recovered from four vehicles.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated at the instance of Chaukidar. It is also submitted that petitioner is not the owner of any of the seized vehicle and is in custody since 13.08.2024.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1,



Bhojpur at Ara in connection with Barahara P. S. Case No.233
of 2024.

7. The application stands allowed.

(Satyavrat Verma, J)

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