

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3206 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- YADOPUR District- Gopalganj

Partiraj Yadav @ Patiraj Yadav S/o- Late Saryug Yadav Resident of Vill-
Siswa P.S-Tareya Sujan Dist-Kushinagar (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Kanhaiya Kishore (App.100)

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-03-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Jadopur P.S. Case No. 48 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 771.56 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that during the police raid total



recovery of 771.56 litres was made from 17 motorcycle. It is submitted by learned counsel that petitioner is neither the owner nor the driver of the motorcycle rather he was implicated with present recovery of alleged illicit liquor on the basis of disclosure made by *chawkidar* as he found running away from the place of recovery, by leaving his motorcycle carrying illicit liquor. It is submitted that petitioner found involved in one more criminal case of similar nature where he is on bail.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from physical possession of this petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge XIII cum Special Excise Court no. 1, Gopalganj/concerned Court,



where the case is pending in connection withJadopur P.S.
Case No. 48 of 2024, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS.,
with further conditions:-

*(i) That accused/petitioner shall not to
indulge/involve in the similar nature of offence till the
conclusion of trial, failing which the State shall be at
liberty to move before the Trial Court itself for the
cancellation of bail bond of the petitioner.*

(Chandra Shekhar Jha, J)

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