

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4055 of 2025

Arising Out of PS. Case No.-235 Year-2024 Thana- EXCISE SHERGHATI District- Gaya

Binay Yadav S/O Indradev Yadav R/O Vill.- Jabra, P.S.- Hunterganj, Dist.-
Chatra, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sherghati Excise P.S. Case No. 235 of 2024 registered for the offences punishable u/s 30(a) and 32(3) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 45 litres of illicit country made liquor was recovered *from the motorcycle*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said seized vehicle. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of



the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.12.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and 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 Court concerned, Gaya in connection with Sherghati Excise P.S. Case No. 235 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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