

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5483 of 2025

Arising Out of PS. Case No.-74 Year-2024 Thana- Excise P.S. District- Siwan

Shiv Kumar Yadav, aged about 38 years, Male, Son of Hridya Chaudhary,
Resident of Village - Fulwaria, P.S. - Mairwa, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Siwan Excise P.S Case No. 74 of 2024 registered for the
offences punishable under Sections 30(a) of Bihar Prohibition
and Excise Act 2016.

3. As per prosecution case, total 1044 litres illicit
liquor was recovered from a Scorpio vehicle bearing registration
no. BR01PG-2368.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that no incriminating article has been recovered from
the conscious possession of the petitioner. Petitioner has not



arrested at the spot and there is no independent witness of the seizure list. He next submits that the name of the petitioner surfaced from the statement of the apprehended accused namely Dinesh Yadav, who has been granted bail by this Court. It is also submitted that petitioner is in judicial custody since 07.12.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner that similarly situated co-accused person namely Dinesh Yadav has been granted bail by this Court in Cr. Misc. No. 28021 of 2024 vide order dated 15.04.2024, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. II, Siwan in connection with Siwan Excise P.S. Case No. 74 of 2024.

(Ramesh Chand Malviya, J)

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