

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8744 of 2025

Arising Out of PS. Case No.-7 Year-2024 Thana- GUTHANI District- Siwan

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Ramesh Yadav, Son of Algu Yadav, Resident of Village-Siswa Kodar, PS-
G.B. Nagar, Distt.- Siwan Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Ranjan, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Guthani P.S. Case No.7 of 2024 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 43.920 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel that the petitioner has been implicated with present case only for the reason that he found registered owner of the motorcycle bearing Registration No.BR-29 M0865, which found involved in carrying of illicit liquor. It is submitted that admittedly no illicit liquor was recovered from the possession of this petitioner, who is a man



of clean antecedent.

5. Learned APP opposed the prayer for bail of the petitioner.

6. In view of aforesaid factual submissions, as *prima facie* no illicit liquor appears to be recovered from conscious physical possession of this petitioner, where implication appears *prima facie* only for the reason that the petitioner found registered owner of the motorcycle, which was involved in carrying of illicit liquor, accordingly, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Siwan in connection with Guthani P.S. Case No.7 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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