

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11902 of 2025

Arising Out of PS. Case No.-582 Year-2024 Thana- Excise P.S. District- Siwan

Radheshyam Kumar Son of Satyendra Yadav Resident Of Village- Nainpur
Bhatkan, PS- Andar, Distt.- 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 : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-02-2025 Heard Mr. Ajay Kumar Tiwary, learned counsel for
the petitioner and Ms. Choubey Jawahar, learned A.P.P. for
the State.

2. The petitioner apprehends his arrest in
connection with Siwan Excise P.S. Case No. 582 of 2024
registered for the offences punishable under Sections 30(a)
and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total
902.820 litres of liquor was recovered from Scorpio.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the
present case. Petitioner has no knowledge and concern with



the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioner. It is submitted that the name of the petitioner has transpired on secret information. It is further submitted that petitioner is the driver of the seized vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is a man of clean antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted regular bail by this Court *vide* order dated 13.11.2024 passed in Cr. Misc. No. 79652 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor



court in connection with Siwan Excise P.S. Case No. 582 of
2024, subject to the conditions as laid down under Section
482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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