

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9896 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- Excise P.S. District- Bhojpur

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Amit Yadav S/O Satrugghan Rai R/o- Mahakampur Bara, P.S- Muffasil, Dist.-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary, Advocate

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

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

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bhojpur Excise Sadar PS Case No. 05 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 400 liters
liquor was recovered from a car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that petitioner's name has transpired in this case as driver of the vehicle in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 05-01-2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the 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 Court below/concerned Court in connection with Bhojpur Excise Sadar PS Case No. 05 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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