

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9620 of 2025**

Arising Out of PS. Case No.-711 Year-2024 Thana- SIWAN CITY District- Siwan

Narayan Yadav, Son of Late Birendra Yadav Resident of Village- Sikuara,
P.S.- Nautan, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Shekhar, Advocate.
For the State : Mr. Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER**

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

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Siwan Town PS. Case No. 711 of 2024 dated 2.12.2024, registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per allegation, there was recovery of 915.840 litres of illicit liquor from Scorpio vehicle bearing registration No. BR28L-2183 and the petitioner who is driver of the vehicle and other persons, fled away.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is alleged to be driver of



the vehicle who had fled away but as a matter of fact, he is no way connected with the vehicle of the alleged offence. Only on the basis of suspicion, such allegation is made by the Police. He also submits that there is no material at all to arouse such suspicion of the Police and whole prosecution case is baseless against the petitioner, and in such situation, the deprivation of personal liberty of the petitioner would be the travesty of justice.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in another case of similar nature.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.II, Siwan, in connection with Siwan Town P.S. Case No. 711 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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