

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10312 of 2025

Arising Out of PS. Case No.-462 Year-2024 Thana- TARAIYA District- Saran

Vikesh Kumar Yadav S/O Jagarnath Ray R/O Vill.- Lauwa, Chakiya, P.S.-
Taraiya, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Ranjit Kumar Thakur, Advocate
For the State	:	Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, this petitioner is alleged to
be driver of the truck from which 5964 litres of spirit was
recovered.

4. It is submitted by learned senior counsel for the
petitioner that petitioner is quite innocent and has committed no
offence. Petitioner has falsely been implicated in the present
case merely because he happens to be driver of the vehicle in
question. Nothing has been recovered from conscious



possession of the petitioner. As a matter of fact, without knowledge and consent of this petitioner, the alleged illicit liquor was kept in the vehicle and being unaware of the same, this petitioner was following instructions of owner of the vehicle. Charge-sheet has already been submitted and petitioner is in custody since 17.12.2024.

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

6. Considering the nature of accusation, fact that no incriminating article has been recovered from conscious possession of this petitioner and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Judge, Saran, Chapra in connection with Taraiya P.S. Case No. 462 of 2024.

(Prabhat Kumar Singh, J)

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