

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11149 of 2025

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

Suraj Yadav S/o Krishna Yadav R/o Village- Dalpatpur, PS- Pipara, Distt.- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Nalin Kumar, Advocate
For the State : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2025 Heard learned 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 co-driver of the truck from which 5964 litres of spirit was recovered.

4. It is submitted by learned 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 co-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. Petitioner claims clean antecedents.

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, period of custody and clean antecedents of the petitioner, 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 Court, Saran at Chapra in connection with Taraiya P.S. Case No. 462 of 2024.

(Prabhat Kumar Singh, J)

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