

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12639 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- Bahera District- Gaya

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Ganesh Yadav @ Ganesh Kumar Son of Late Saguni Yadav Resident of
Village - Kajipur Tali, P.S. and District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Neeraj, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Special Act No. 471 of 2025 arising out of Bahera PS Case
No. 12 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 total
620.625 litres of foreign liquor was recovered from Truck.

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 the name of the petitioner has transpired as being owner of the vehicle in question and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 09.01.2025 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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 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 Special Act No. 471 of 2025 arising out of Bahera PS Case No. 12 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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