

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11628 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Radheshyam Yadav Son of Lukho Yadav village- Devanpur Ps- Rosera, Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

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

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

ORAL ORDER

2 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Mushrigharari PS Case No. 178 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total
1451.520 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 petitioner is the driver of the seized vehicle and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 01.12.2024 and has got no criminal antecedent. 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, 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 Mushrigharari PS Case No. 178 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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