

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13040 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Chhotan Yadav S/o Kailu Yadav Resident of Village- Zabra, P.S.- Hunterganj,
District- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**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 Excise
(Sherghati) PS Case No. 21 of 2025 instituted for the offences
under Sections 30(a) and 32(c) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 160
litres of country made liquor was recovered from motorcycle.

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 motorcycle bearing Registration No. BR25C-8540 in



question does not belong to the petitioner. The petitioner is in custody since 20.01.2025 and has got one 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 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 Excise (Sherghati) PS Case No. 21 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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