

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 18895 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- Krishnabraham District- Buxar

Manoj Kumar Yadav S/O Dadan Yadav Resident of village- Devi Choudhary
ke Hata, PS- Jamalpur, District- Ballia, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Rai Sharma, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Krishna Braham PS Case No. 05 of 2024 dated 07-09-2024,
instituted under Section 30(a) of the Bihar Prohibition and
Excise Act,2018.

3.The allegation is of the recovery of 6.2 litres of
illicit country-made liquor from a Hero Glamour motorcycle
bearing Registration No. UP-60AD 8107.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is submitted that the police apprehended co-
accused Ram Nayan Yadav, who was found with a motorcycle
carrying 6.2 litres of illicit country-made liquor. It is further



submitted that a bare perusal of the FIR reveals that the apprehended person, Ram Nayan Yadav, told the police personnel that the seized motorcycle had been purchased by him from a villager of his village and that the ownership of the motorcycle had not been transferred to his name. It is next submitted that the petitioner was not named in the FIR, nor was the petitioner apprehended at the place of occurrence. Further submission is that nothing has been recovered from the conscious possession of the petitioner. The alleged 6.2 litres of country-made liquor were recovered from the apprehended accused from the Hero Glamour motorcycle bearing registration No. UP-60AD 8107. It is submitted that the said motorcycle originally belonged to the petitioner, who had sold it to the apprehended person. The petitioner has no concern with the said motorcycle or the seized illicit liquor. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.02, Buxar, in Krishna Braham PS Case No. 05 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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